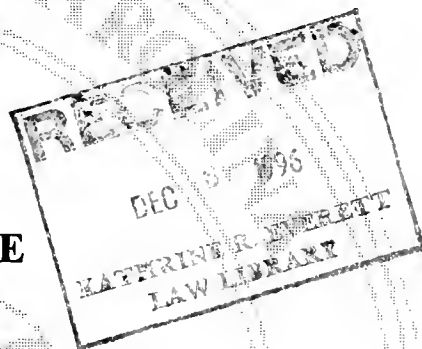


NORTH CAROLINA REGISTER

**VOLUME 11 • ISSUE 17 • Pages 1331 - 1366
December 2, 1996**

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Community Colleges
Human Resources
Justice
Transportation
Rules Review Commission
Contested Case Decisions



PUBLISHED BY

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NORTH CAROLINA REGISTER

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**Volume 11, Issue 17
Pages 1332 - 1366**

December 2, 1996

This issue contains documents officially
filed through November 6, 1996.

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						end of re- quired com- ment period	deadline to submit to RRC for review at next RRC meeting	first legisla- tive day of the next regular ses- sion	end of re- quired com- ment period	deadline to submit to RRC for review at next RRC meeting	first legisla- tive day of the next regular ses- sion
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12:07	07/01/97	06/10/97	09/02/97	09/15/97	07/16/97	07/31/97	08/20/97	05/10/98	09/02/97	09/22/97	05/10/98
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EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2B .0103 and the Rules of Civil Procedure, Rule 6.

GENERAL	FILING DEADLINES	NOTICE OF RULE-MAKING PROCEEDINGS	NOTICE OF TEXT
<p>The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:</p> <ul style="list-style-type: none"> (1) temporary rules; (2) notices of rule-making proceedings; (3) text of proposed rules; (4) text of permanent rules approved by the Rules Review Commission; (5) notices of receipt of a petition for municipal incorporation, as required by G.S. 120-165; (6) Executive Orders of the Governor; (7) final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H; (8) orders of the Tax Review Board issued under G.S. 105-241.2; and (9) other information the Codifier of Rules determines to be helpful to the public. <p>COMPUTING TIME: In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.</p>	<p>ISSUE DATE: The Register is published on the first and fifteen of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month closest to (either before or after) the first or fifteenth respectively that is not a Saturday, Sunday, or holiday for State employees.</p> <p>LAST DAY FOR FILING: The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.</p>	<p>END OF COMMENT PERIOD TO A NOTICE OF RULE-MAKING PROCEEDINGS: This date is 60 days from the issue date. An agency shall accept comments on the notice of rule-making proceeding until the text of the proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rule-making proceedings was published.</p> <p>EARLIEST REGISTER ISSUE FOR PUBLICATION OF TEXT: The date of the next issue following the end of the comment period.</p>	<p>EARLIEST DATE FOR PUBLIC HEARING: The hearing date shall be at least 15 days after the date a notice of the hearing is published.</p> <p>END OF REQUIRED COMMENT PERIOD</p> <p>(1) RULE WITH NON-SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule for at least 30 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer.</p> <p>(2) RULE WITH SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule published in the Register and that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(b1) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.</p> <p>DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION: The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.</p>

FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY: This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3, Effective date of rules.

STATE OF NORTH CAROLINA

BEFORE THE
TAX REVIEW BOARD

COUNTY OF WAKE

IN THE MATTER OF:

The Proposed assessment of Controlled Substance Excise
tax for possession of non-tax-paid Controlled Substance
on January 7, 1994 by the Secretary of Revenue
against **BARRY WADE DUKE**

**ADMINISTRATIVE
DECISION NUMBER: 322**

THIS MATTER was heard before the Regular Tax Review Board (hereinafter "Board") on July 23, 1996, in the City of Raleigh, Wake County, North Carolina in the office of the State Treasurer for the purpose of conducting a hearing on the Petition of **Barry Wade Duke** (hereinafter "Taxpayer") which was filed with the Board on January 10, 1996, pursuant to the provisions of G.S. §105-241.2. The petition concerned administrative review of the Final Decision of Michael A. Hannah, Assistant Secretary for Legal and Administrative Services (hereinafter "Assistant Secretary") entered on December 4, 1995, sustaining a proposed assessment of controlled substance excise tax for possession of non-tax-paid controlled substance for the period of January 7, 1994, assessed against the Taxpayer.

Chairman Harlan E. Boyles, State Treasurer presided over the hearing with duly appointed member, Noel A. Allen, Attorney at Law participating.

Attorney G. Bruce Park appeared at the hearing on Taxpayer's behalf. The Taxpayer was also present at the hearing. Christopher E. Allen, Assistant Attorney General, appeared at the hearing on behalf of the Department of Revenue.

In the petition, the Taxpayer argued that the Assistant Secretary erred in sustaining the assessment of the controlled substance excise tax because he denied possessing a controlled substance.

The purpose of this Board is to provide administrative review to Taxpayers from the Secretary of Revenue's decision sustaining the assessment of tax or additional tax pursuant to North Carolina Revenue Laws. The scope of administrative review for Petitions filed with Board is governed by G.S. §105-241.2(b2). G.S. § 105-241.2(b2) states in pertinent part:

(b2).. the Board shall confirm, modify, reverse, reduce or increase the assessment or decision of the Secretary.

On review, the Board determined that G.S. §105-113.105 et. seq. provides for the levy of an excise tax on persons (dealers) who possess a non-tax-paid controlled substance. The controlled substance is measured "by the weight of the substance whether pure, impure or dilute." G.S. § 105-113.107. A proposed assessment of the excise tax is presumed to be correct pursuant to G.S. § 105-241.1(a), thus the burden is on the Taxpayer to overcome this presumption and rebut the assessment.

The Board having conducted a hearing in this matter and having reviewed the Petition, the briefs, the record, the Assistant's Secretary's final decision and having considered the arguments of counsel rendered the following decision: that the findings of fact made by the Assistant Secretary were fully supported by competent evidence in the record; that the conclusions of law made by the Assistant Secretary were fully supported by the findings of fact; and that the decision by the Assistant Secretary sustaining the tax assessment was fully supported by the conclusions of law. From the record, there was a reasonable basis to presume that Taxpayer was in possession of the controlled substance. Pursuant to G.S. § 105-241.1(a), the proposed assessment of the excise tax is presumed to be correct.

IT IS THEREFORE ORDERED, that the Assistant Secretary's final decision sustaining the assessment is **CONFIRMED**.

Entered this the 21st day of October, 1996.

TAX REVIEW BOARD

/s/Harlan E. Boyles, Chairman
State Treasurer

/s/Hugh A. Wells, Chairman
Utilities Commission

/s/Noel L. Allen, Member

STATE OF NORTH CAROLINA

BEFORE THE
TAX REVIEW BOARD

COUNTY OF WAKE

IN THE MATTER OF:

The Proposed assessment of Controlled Substance Excise
tax for possession of non-tax-paid Controlled Substance
on January 7, 1994 by the Secretary
of Revenue against **TONY ALLEN GILLEY**

**ADMINISTRATIVE
DECISION NUMBER: 323**

THIS MATTER was heard before the Regular Tax Review Board (hereinafter "Board") on July 23, 1996, in the City of Raleigh, Wake County, North Carolina in the office of the State Treasurer for the purpose of conducting a hearing on the Petition of **Tony Allen Gilley** (hereinafter "Taxpayer") which was filed with the Board on January 10, 1996, pursuant to the provisions of G.S. §105-241.2. The petition concerned administrative review of the Final Decision of Michael A. Hannah, Assistant Secretary for Legal and Administrative Services (hereinafter "Assistant Secretary") entered on December 4, 1995, sustaining a proposed assessment of controlled substance excise tax for possession of non-tax-paid controlled substance for the period of January 7, 1994, assessed against the Taxpayer.

Chairman Harlan E. Boyles, State Treasurer presided over the hearing with duly appointed member, Noel A. Allen, Attorney at Law participating.

Attorney G. Bruce Park appeared at the hearing on Taxpayer's behalf. Christopher E. Allen, Assistant Attorney General, appeared at the hearing on behalf of the Department of Revenue.

In the petition, the Taxpayer argued that the Assistant Secretary erred in sustaining the assessment of the controlled substance excise tax because he denied possessing a controlled substance.

The purpose of this Board is to provide administrative review to Taxpayers from the Secretary of Revenue's decision sustaining the assessment of tax or additional tax pursuant to North Carolina Revenue Laws. The scope of administrative review for Petitions filed with the Board is governed by G.S. §105-241.2(b2). G.S. § 105-241.2 states in pertinent part:

(b2).. the Board shall confirm, modify, reverse, reduce or increase the assessment or decision of the Secretary.

On review, the Board determined that G.S. §105-113.105 et. seq. provides for the levy of an excise tax on persons (dealers) who possess a non-tax-paid controlled substance. The controlled substance is measured "by the weight of the substance whether pure, impure or dilute." G.S. § 105-113.107. A proposed assessment of the excise tax is presumed to be correct pursuant to G.S. § 105-241.1(a), thus the burden is on the Taxpayer to overcome this presumption and rebut the assessment.

The Board having conducted a hearing in this matter and having reviewed the Petition, the briefs, the record, the Assistant Secretary's final decision and having considered the arguments of counsel rendered the following decision: that the findings of fact made by the Assistant Secretary were fully supported by competent evidence in the record; that the conclusions of law made by the Assistant Secretary were fully supported by the findings of fact; and that the decision by the Assistant Secretary sustaining the tax assessment was fully supported by the conclusions of law. From the record, there was a reasonable basis to presume that the Taxpayer was in possession of the controlled substance. Pursuant to G.S. § 105-241.1(a), the proposed assessment of the excise tax is presumed to be correct.

IT IS THEREFORE ORDERED, that the Assistant Secretary's final decision sustaining the assessment is **CONFIRMED**.

Entered this the 21st day of October, 1996.

TAX REVIEW BOARD

/s/Harlan E. Boyles, Chairman
State Treasurer

/s/Hugh A. Wells, Chairman
Utilities Commission

/s/Noel L. Allen, Member

A Notice of Rule-making Proceedings is a statement of subject matter of the agency's proposed rule making. The agency must publish a notice of the subject matter for public comment at least 60 days prior to publishing the proposed text of a rule. Publication of a temporary rule serves as a Notice of Rule-making Proceedings and can be found in the Register under the section heading of Temporary Rules. A Rule-making Agenda published by an agency serves as Rule-making Proceedings and can be found in the Register under the section heading of Rule-making Agendas. Statutory reference: G.S. 150B-21.2.

TITLE 12 - DEPARTMENT OF JUSTICE

CHAPTER 4 - DIVISION OF CRIMINAL INFORMATION

SUBCHAPTER 4E - ORGANIZATIONAL RULES AND FUNCTIONS

Notice of Rule-making Proceedings is hereby given by the N.C. Department of Justice/State Bureau of Investigation/Division of Criminal Information in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making:
12 NCAC 04E .0104, .0401, .0404 - .0405 - Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 114-10; 114-10.1

Statement of the Subject Matter:

12 NCAC 04E .0104 - The DCI Advisory Policy Board has agreed to add a new definition as 5(a) to define for DCI purposes the meaning of "convicted" or "conviction".

12 NCAC 04E .0401 - The DCI Advisory Policy Board has agreed to modify .0401(b) and (c) to require a fingerprint criminal records search or a computerized criminal history search be conducted prior to an individual attending DCI certification class. Any individual found to have been convicted of a misdemeanor, involving fraud, misrepresentation, or deceit shall not be eligible to become certified as a DCI Terminal Operator in accordance with the periods of suspension set out in 12 NCAC 4E .0404. A new (d) exempts DCI operators who currently hold valid certifications as sworn law enforcement officers from the criminal history record and background search requirements.

12 NCAC 04E .0404 - The DCI Advisory Policy Board has agreed to add a new rule as .0404 to define PERIOD OF SUSPENSION regarding a felony conviction of a DCI Terminal Operator.

12 NCAC 04E .0405 - The DCI Advisory Policy Board has agreed to add a new rule as .0405 to define the minimum standards required for DCI Terminal Operators.

Reason for Proposed Action:

12 NCAC 04E .0104 - The DCI Advisory Policy Board believes that the addition of the above mandates would better

serve the DCI Advisory Policy Board in making informed decisions regarding DCI standards for certification of DCI Terminal Operators.

12 NCAC 04E .0401 - The DCI Advisory Policy Board believes that the addition of the above mandate would better serve the DCI Advisory Policy Board in making informed decisions regarding minimum standards to become a DCI Terminal Operator.

12 NCAC 04E .0404 - The DCI Advisory Policy Board believes that the addition of the above mandate would better serve the DCI Advisory Policy Board in making informed decisions regarding DCI standards for certification of DCI Terminal Operators.

12 NCAC 04E .0405 - The DCI Advisory Policy Board believes that the addition of the above mandate would better serve the DCI Advisory Policy Board in making informed decisions regarding minimum standards to become a DCI Terminal Operator.

Comment Procedures: Interested persons may present their views in writing. The record will be open for receipt of written comments from December 2, 1996 through January 31, 1997. Such written comments must be delivered or mailed to the State Bureau of Investigation/Division of Criminal Information, 407 North Blount Street, Raleigh, NC 27601.

TITLE 23 - DEPARTMENT OF COMMUNITY COLLEGES

CHAPTER 2 - COMMUNITY COLLEGES

SUBCHAPTER 2D - COMMUNITY COLLEGES: FISCAL AFFAIRS

Notice of Rule-making Proceedings is hereby given by the N.C. State Board of Community Colleges in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making:
23 NCAC 2D .0202 - Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 115D-5; 115D-39; 116-143.1; P.L. 93-508

Statement of the Subject Matter: *Curriculum*

Reason for Proposed Action: *To increase the maximum amount a college may charge for the student activity fee.*

Comment Procedures: *All persons interested in this Rule may submit statements in writing from the date of this notice until February 3, 1997, delivered or mailed to Dr. Lloyd V. Hackley, President, North Carolina Community College System, 200 West Jones Street, Raleigh, NC 27603-1379.*

This Section contains the text of proposed rules. At least 60 days prior to the publication of text, the agency published a Notice of Rule-making Proceedings. The agency must accept comments on the proposed rule for at least 30 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. The required comment period is 60 days for a rule that has a substantial economic impact of at least five million dollars (\$5,000,000). Statutory reference: G.S. 150B-21.2.

TITLE 10 - DEPARTMENT OF HUMAN RESOURCES

Notice is hereby given in accordance with G.S. 150B-21.2 that the NC Child Day Care Commission intends to amend rules cited as 10 NCAC 3U .0707 and .0901. Notice of Rule-making Proceedings was published in the Register on July 15, 1996.

Proposed Effective Date: July 1, 1998

A Public Hearing will be conducted at 1:00 to 2:00 p.m. on February 6, 1997 at the Division of Child Development, 319 Chapanoke Road, Suite 120, Room 300, Raleigh, NC 27603.

Reason for Proposed Action:

10 NCAC 3U .0707 - Amendment is needed to recognize the community colleges' change from quarter hours to semester hours.

10 NCAC 3U .0901 - To respond to a petition for rule-making regarding nutrition requirements when children bring their own food to centers.

Comment Procedures: Comments may be presented in writing or at the public hearing or orally at the hearing. Time limits for oral remarks may be imposed by the Commission Chairman. Any person may request copies of these Rules by calling Nancy Guy, Division of Child Development, 319 Chapanoke Road, Suite 120, Raleigh, NC 27603, (919) 662-4543.

Fiscal Note: These Rules do not affect the expenditures or revenues of state or local government funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

CHAPTER 3 - FACILITY SERVICES

SUBCHAPTER 3U - CHILD DAY CARE STANDARDS

SECTION .0700 - HEALTH AND OTHER STANDARDS FOR CENTER STAFF

.0707 IN-SERVICE TRAINING REQUIREMENTS

(a) Each day care center shall provide, or arrange for the provision of, training for staff to assure that each new staff person who has contact with the children will receive a

minimum of ten clock hours of orientation within the first six weeks of employment. This orientation shall include training in their job-specific duties and responsibilities; a review of the child day care licensing law and regulations; a review of the individual center's personnel and operational policies, purpose, and goals; an explanation of the role of state and local government agencies, their effect on the center, their availability as a resource, and individual staff responsibilities to representatives of state and local government agencies; observation of center operations; maintaining a safe and healthy environment; and training to recognize symptoms of child abuse and neglect.

(b) The center director and any staff who have responsibility for planning and supervising a day care program, as well as staff who work directly with children, shall participate in in-service training activities annually, according to the individual's assessed needs. Staff may choose one of the following options for meeting the in-service requirement:

- (1) Each staff person shall complete in-service training activities which are related to child care or to the person's job responsibilities as specified in the following Subparagraphs:
 - (A) persons with a four-year degree in a child care-related field of study from a regionally accredited college or university shall complete five clock hours of training annually;
 - (B) persons with a two-year degree in a child care-related field of study from a regionally accredited college or university, or persons with at least fifteen years documented, professional experience as a teacher, director or caregiver in a licensed or registered child care arrangement and a cumulative total of more than fifty hours of approved in-service training shall complete eight clock hours of training annually;
 - (C) persons with a one-year certificate in a child care-related field of study from a regionally accredited college or university, or persons with at least ten years documented, professional experience as a teacher, director or caregiver in a licensed or registered child care arrangement and a cumulative total of more than fifty hours of approved in-service training, or persons with a Child Development Associate Credential shall complete ten clock hours of training annually;
 - (D) all other persons shall complete twenty clock hours of training annually; or

- (2) If the staff person has completed 4 semester hours, 6 quarter hours, or 64 66 clock hours of early childhood education or child development and is enrolled in an early childhood or child development curriculum program, completion of or enrollment in a course which is required or approved for completion of that curriculum program will fulfill the annual in-service requirement.

(c) For staff working less than 40 hours per week on a regular basis and choosing the option for 20 hours of in-service training, the training requirement may be prorated as follows:

WORKING HOURS PER WEEK	CLOCK HOURS REQUIRED
0 - 10	5
11 - 20	10
21 - 30	15
31 - 40	20

(d) Clock hours of training or education related to child care may be accumulated for up to three years and counted toward the annual in-service training requirement.

Authority G.S. 110-91(11); 143B-168.3.

SECTION .0900 - NUTRITION STANDARDS

.0901 GENERAL NUTRITION REQUIREMENTS

(a) Meals and snacks that are prepared in the center or catered shall contain the food groups outlined in the Basic Four Food Guide which is based on the recommended nutrient intake judged by the National Research Council to be adequate for maintaining good nutrition. The number and size of servings shall be appropriate for the ages and developmental levels of the children in care, as specified in the Appendices to the Licensing Manual, as approved by the Commission.

(b) Menus for nutritious meals and snacks shall be planned at least one week in advance. At least one dated copy of the current week's menu shall be posted where it can be seen easily by parents and food preparation staff when food is prepared or provided by the center. A variety of food shall be included in meals and snacks. Any substitution will be of comparable food value and will be recorded on the menu.

(c) When children bring their own food for meals or snacks to the center, or when food is catered, if the food does not have to meet the nutritional requirements specified in Paragraph (a) of this Rule, the center must provide additional food necessary to meet those requirements. Rule.

(d) Drinking water must be freely available to children of all ages and offered at frequent intervals. Approved drinking fountains or individual drinking utensils shall be provided. When a private water supply is used, it must be tested by and meet the requirements of the Division of Health Services, Department of Human Resources.

(e) Children's special diets or food allergies shall be posted in the food preparation area and in the child's eating area.

(f) The food required by special diets may be provided by the center or may be brought to the center by the parents. If the diet is prescribed by a physician, written instructions will be provided by the child's parent, physician, or a registered dietitian.

(g) Food and beverages with little or no nutritional value, such as sweets, fruit drinks, soft drinks, etc., will be available only for special occasions and only in addition to nutritious meals and snacks.

Authority G.S. 110-91(2); 143B-168.3.

TITLE 12 - DEPARTMENT OF JUSTICE

Notice is hereby given in accordance with G.S. 150B-21.2 that the N.C. Department of Justice, State Bureau of Investigation/Division of Criminal Information intends to amend rule cited as 12 NCAC 04E .0103(a). Notice of Rule-making Proceedings was published in the Register on September 3, 1996.

Proposed Effective Date: July 1, 1998

A Public Hearing will be conducted at 9:00 a.m. on December 17, 1996 at the Division of Criminal Information, 407 North Blount Street, Raleigh, NC 27601.

Reason for Proposed Action: To add one additional member to the DCI Advisory Policy Board, which member will be the Criminal Justice Information Services (CJIS) Working Local Representative from North Carolina.

Comment Procedures: Interested persons may present their views either orally or in writing at the hearing. In addition, the record of hearing will be open for receipt of written comments through January 2, 1997. All comments should be directed to Administrative Officer Judy Breeden, Division of Criminal Information, 407 N. Blount Street, Raleigh, NC 27601 within 30 days of this publication.

Fiscal Note: This Rule does not affect the expenditures or revenues of state or local government funds. This Rule does not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

CHAPTER 4 - DIVISION OF CRIMINAL INFORMATION

SUBCHAPTER 4E - ORGANIZATIONAL RULES AND FUNCTIONS

SECTION .0100 - GENERAL PROVISIONS

.0103 ADVISORY POLICY BOARD

(a) The DCI Advisory Policy Board shall consist of not less than ~~13~~ 14 members selected by the SBI Assistant Director for DCI for recommendation to the Director of the SBI with approval by the North Carolina Attorney General. Members shall serve for a term of two years. Membership shall consist of four police chiefs, four sheriffs, the Criminal Justice Information Services (CJIS) Working Group Local Representative from North Carolina, one representative each from the State Highway Patrol, Administrative Office of the Courts, Department of Correction, Division of Motor Vehicles (Enforcement), and the SBI Assistant Director for DCI. The SBI Assistant Director for DCI may serve as Chairman of the Board. The Board shall meet at least twice each year on dates and at locations determined by the SBI Assistant Director for DCI. If any Advisory Policy Board member or his designated representative is absent for two consecutive meetings, that member shall relinquish membership on the Board for the remainder of that term. Notification of such loss of membership shall be made by the SBI Assistant Director for DCI. The SBI Assistant Director for DCI may designate a replacement member to serve for the remainder of that term.

(b) The Board shall advise and make recommendations to the SBI Assistant Director for DCI regarding the philosophy, rule making, organization and operation of DCI. Minutes of each Advisory Policy Board meeting shall be recorded and mailed to each criminal justice agency in North Carolina.

(c) The Advisory Policy Board shall also determine and recommend all penalties applicable to any agency or agency employee with regard to a violation of any of DCI's rules.

(d) The Advisory Policy Board shall hear all appeals by agencies or individuals that have violated DCI's rules upon request of such agencies or individuals. The appeal shall be conducted as an informal hearing.

(e) The Advisory Policy Board shall provide advice to the SBI Assistant Director for DCI when requested pursuant to the provisions of Subchapter 4F Rule .0407 of this Chapter.

(f) The Advisory Policy Board shall hear requests for reinstatement of services suspended pursuant to Subchapter 4G Rule .0101(1)(e) of this Chapter.

Authority G.S. 114-10; 114-10.1.

**TITLE 19A - DEPARTMENT OF
TRANSPORTATION**

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Department of Transportation - Division of Motor Vehicles intends to amend rules cited as 19A NCAC 03J .0102, .0306 - .0308, .0601. Notice of Rule-making Proceedings was published in the Register on September 3, 1996.

Proposed Effective Date: August 1, 1998

Instructions on How to Demand a Public Hearing: A demand for a public hearing must be made in writing and mailed to Emily Lee, Department of Transportation, PO Box 25201, Raleigh, NC 27611. The demand must be received within 15 days of this Notice.

Reason for Proposed Action: Rules are proposed for amendment to incorporate information about refresher courses which are available for drivers who have previously had CDL, Class A, or Chauffeurs Licenses.

Comment Procedures: Any interested person may submit written comments on the proposed rules by mailing the comments to Emily Lee, Department of Transportation, PO Box 25201, Raleigh, NC 27611, within 30 days after the proposed rules are published.

Fiscal Note: These Rules do not affect the expenditures or revenues of state or local government funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

CHAPTER 3 - DIVISION OF MOTOR VEHICLES

**SUBCHAPTER 3J - RULES AND REGULATIONS
GOVERNING THE LICENSING OF
COMMERCIAL TRUCK DRIVER TRAINING
SCHOOLS AND INSTRUCTORS**

**SECTION .0100 - COMMERCIAL TRUCK DRIVER
TRAINING SCHOOLS**

.0102 DEFINITIONS

For the purpose of this Subchapter, the following definitions shall apply:

- (1) "Actively Enrolled" means any student who is neither a graduate nor has failed to complete his or her course.
- (2) "Base Period" means a six-month period from January 1 through June 30 or from July 1 through December 31.
- (3) "Commercial Truck Driver Training School" means any enterprise conducted by an individual, association, partnership, or corporation for the education and training of persons, either in class or behind the wheel, or both, to operate or drive a truck-tractor-trailer combination unit, and charging a consideration or tuition for such services.
- (4) "Constructive Notice" means a student's notice of intention to withdraw from a course by failing to attend residence instructional facilities for a period of three consecutive days on which that class meets.
- (5) "Cooling off Period" means five days from the

- time the student is given or mailed a signed copy of his completed contract.
- (6) "Enrollment contract" means any agreement or instrument, however named, which creates or evidences an obligation binding a student to purchase a course from a school.
 - (7) "Fail to Complete" means any student who does not fully complete the required 160 hours of the lessons or classes required by the Division as constituting the full course of study and who cancels by any of the methods prescribed, shall be deemed to have "failed to complete" his or her course.
 - (8) "Field Training" means off-road training in and around the truck. Refer to Rule .0306(2)(b), (c), (e), and (i) of Section .0300.
 - (9) "Foreign Commercial Truck Driver Training School" means an enterprise located outside North Carolina which solicits, advertises, or offers truck driver training to residents of North Carolina.
 - (10) "General Job or Earnings Claim" means any express claim or representation concerning the general conditions or employment demand in any employment market now or at any time in the future or the amount of salary or earnings generally available to persons employed in any occupation.
 - (11) "Graduate" means any student who fully completes the required 160 hours of the lessons or classes required by the Division and discharges any other requirements or obligations established by the school as prerequisites for completing the full course of study.
 - (12) "Job or Earnings Claim" means any general or specific job or earnings claim.
 - (13) "Media Advertisement" means any advertisement disseminated to the public by means of print or broadcast media, including newspapers, magazines, radio, television, posters, or any other means. It does not include promotional materials that are available from a school or distributed by its sales representatives.
 - (14) "Most Recent Base Period" means the latest base period.
 - (15) "New Course" means any course which has a substantially different course content and occupational objective from any course previously offered by the school and which has been offered for a period of time less than six months.
 - (16) "Prospective Student" means any person who seeks to enroll in a course.
 - (17) "Recruiter/Salesman" means any person who is employed by a commercial truck driver training school, directly or indirectly, to recruit students for a school. This definition includes persons who are employed by another person who is a direct employee or broker for a school.

- (18) "Refresher Course" means a minimum 80-hour course which offers classroom and behind the wheel instruction for drivers who have previously held a CDL, Class A, or Chauffeurs License.
- (19) ~~(18)~~ "Seminar" means a course of 40 hours or less offering educational materials and classroom instruction only in order to prepare a student for an examination given by the State for a driver's license.
- (20) ~~(19)~~ "Specific Job or Earnings Claim" means any express claim or representation concerning the employment opportunities available to students or the demand for students who purchase the school's course, or the amount of salary or earnings available to students who purchase the school's course.
- (21) ~~(20)~~ "Student" means any person who has signed an enrollment contract with a school and not cancelled that contract before the cooling-off-period, specified in this Rule, has ended.
- (22) ~~(21)~~ "Total Contract Price" means the total price for the enrollment contract, including charges for registration, ancillary services, and any finance charges.

Authority G.S. 20-320 through 20-328.

SECTION .0300 - SCHOOL LOCATION: PHYSICAL FACILITIES: AND COURSES OF INSTRUCTION

.0306 COURSE OF INSTRUCTION

(a) The commercial truck driving course to be taken by licensed persons who are above the age of 18 must meet the following requirements:

- (1) Minimum hours of instruction:
 - (A) classroom instruction, including testing 50 hours
 - (B) field instruction 50 hours
 - (C) highway behind-the-wheel training 20 hours
 - (D) observation (highway behind-the-wheel) 40 hours

Total - 160 hours

The hours of instruction may be expressed in credit hours provided the school is accredited by an accrediting agency recognized by the United States Department of Education and the conversion ratio of that accrediting agency is properly used.

- (2) Content of classroom and behind-the-wheel instruction:
 - (A) laws relating to interstate and intrastate operations;
 - (B) pre-trip inspection;
 - (C) coupling and uncoupling of combination units, if the equipment to be driven includes such units;
 - (D) placing the vehicle in operation;

- (E) use of the vehicle's controls and emergency equipment;
- (F) operation in inner-city and interstate highway traffic and passing;
- (G) turning the vehicle;
- (H) braking and slowing the vehicle by means other than applying the brakes;
- (I) backing and parking the vehicle;
- (J) experience operating vehicles with a minimum gross vehicle weight of 49,000 pounds; and
- (K) completing Driver's Daily Log books.
- (3) Other requirements:
 - (A) the 160 hours of instructions required by these rules shall be completed in no less than four calendar weeks;
 - (B) three hours of the 20 hours of behind-the-wheel highway training must be completed by each student between dusk and dawn;
 - (C) one vehicle must be provided for each three students during highway training; provided, four students per vehicle are permitted if the vehicle has been inspected and approved for such use by the Division. No more than four students per vehicle and no more than four vehicles per instructor will be allowed for field training; and
 - (D) a Driver's Daily Log must be kept for each student to reflect the 160 hours of instruction.

(b) Credit for Prior Instruction. Credit for prior instruction or training given by another agency or school may be granted. Such credit may be granted by the school to which the candidate is applying if the prior instruction or training is substantially equivalent to the corresponding part or parts of the course required by North Carolina law and if such credit is confirmed and authorized as equivalent by the Enforcement Section of the Division.

(c) In addition to the course requirements of Paragraph (a) of this Rule, schools may offer a "Refresher Course" which shall meet the following requirements:

- (1) Minimum hours of instruction shall total 80 hours as follows:
 - (A) Classroom instruction, labs, and testing 25 hours
 - (B) Field instruction 25 hours
 - (C) Highway behind the wheel training 10 hours
 - (D) Observation (highway behind the wheel) 20 hours
 - Total - 80 hours**

The hours of instruction may be expressed in credit hours provided the school is accredited by an accrediting agency recognized by the United States Department of Education and the conversion ratio of that accrediting agency is properly used.

- (2) Content of Classroom and behind the wheel instruction shall be as follows:
 - (A) Laws relating to interstate and intrastate operations;
 - (B) Pre-trip inspection;
 - (C) Coupling and uncoupling of combination units, if the equipment to be driven includes such units;
 - (D) Placing the vehicle in operation;
 - (E) Use of the vehicle's controls and emergency equipment;
 - (F) Operation in inner-city and interstate highway traffic and passing;
 - (G) Turning the vehicle;
 - (H) Braking and slowing the vehicle by means other than applying the brakes;
 - (I) Backing and parking the vehicle;
 - (J) Experience operating vehicles with a minimum gross weight of 49,000 pounds; and
 - (K) Completing Drivers Daily Log books.
- (3) Other requirements are as follows:
 - (A) The 80 hours of instruction required by these Rules shall be completed in no less than two calendar weeks;
 - (B) Two hours of the 10 hours behind the wheel highway training shall be completed by each student between dusk and dawn;
 - (C) One vehicle must be provided for each three students during highway training; provided, four students per vehicle are permitted if the vehicle has been inspected and approved for such use by the Division. No more than four students shall be allowed per vehicle for field training; and
 - (D) A drivers log must be kept for each student to reflect the 80 hours of instruction.

Authority G.S. 20-320 through 20-328.

.0307 STUDENT REQUIREMENTS

(a) Students above 18 years of age but less than 21 years of age must be informed by the owner(s) or officers of the school of the age restrictions and limitations established by the United States Department of Transportation and the Motor Carrier Safety Unit of the Division of Motor Vehicles.

(b) Students must furnish to the school proof that they have passed the United States Department of Transportation physical examination and drug screening test.

(c) No student shall operate a truck or tractor-trailer combination upon any public street or highway unless such student shall have in his immediate possession a valid license or learner's permit of the class or type required by Chapter 20 of the General Statutes and his U.S.D.O.T. physical pocket card.

(d) In addition to the requirements of Paragraphs (b) and (c) of this Rule, the following requirements shall apply for

students enrolling in a refresher course:

- (1) must be at least 21 years of age;
- (2) must have held a valid CDL, Class A, or Chauffeurs License for a continuous four-year period prior to April 1, 1999; and
- (3) after April 1, 1999, students shall have held a valid CDL for a continuous four-year period.

Authority G.S. 20-320 through 20-328.

.0308 REPORTS TO BE SUBMITTED

(a) Every commercial truck driver training school offering a full program shall submit to the Division the following reports:

- (1) A schedule of classes for each licensing period.
- (2) A class roster as of the first day of class, which roster shall include the name, address, telephone number, and driver's license number of each student.
- (3) A copy of each student's contract(s).
- (4) A list of salesmen/recruiters working for the school (directly or indirectly) at the beginning of the licensing period, with additions or deletions to be filed within 30 days of such change.

(b) Every commercial truck driver training school offering seminars only shall submit and obtain approval of a course plan at least 30 days prior to the class. It shall also submit items in Subparagraphs (a)(1) and ~~(a)(5)~~ (a)(4) of this Rule.

(c) Every commercial truck driver training school offering a refresher course shall submit in addition to the requirements of Paragraph (a) of this Rule, a seven-year driving record attached to each student's contract.

Authority G.S. 20-320 through 20-328.

Authority G.S. 20-320 through 20-328.

SECTION .0600 - CONTRACTS

.0601 REQUIREMENTS

Commercial truck driver training school contracts for students are required if the course of instruction contracted for by the student is ~~160 hours or longer and shall contain, but are not limited to, the following information: a refresher course or a course of 160 hours or more. The contract shall contain, but is not limited to, the following information.~~

- (1) The agreed total contract charges and full terms of payment thereof.
- (2) The number, nature, time, and extent of lessons contracted for, including:
 - *(a) minimum hours of instruction:
 - (i) classroom instruction, including testing 50 hours
 - (ii) field instruction 50 hours
 - (iii) highway behind-the-wheel training 20 hours
 - (iv) observation (highway

behind-the-wheel) 40 hours

Total - 160 hours

*Contracts involving a refresher course shall contain at least one-half the maximum hours for each area of instruction required for the 160-hour course.

The hours of instruction may be expressed in credit hours provided the school is accredited by an accrediting agency recognized by the United States Department of Education and the conversion ratio of that accrediting agency is properly used.

- (b) rate for use of school vehicle for a driver's license road test, if an extra charge is made.
- (3) A statement which reads substantially as follows: "This agreement constitutes the entire contract between the school and the student, and any verbal assurances or promises not contained herein shall bind neither the school nor the student."
- (4) A statement which reads as follows: "This school is licensed by the State of North Carolina, Division of Motor Vehicles."
- (5) A statement which reads as follows: "If you, as a student, are unable to settle a dispute with the school, please direct your grievances to the North Carolina Division of Motor Vehicles, Enforcement Section, 1100 New Bern Avenue, Raleigh, North Carolina 27697-0001."

Authority G.S. 20-320 through 20-328.

This Section contains the agenda for the next meeting of the Rules Review Commission on Thursday, December 19, 1996, 10:00 a.m., at 1307 Glenwood Ave., Assembly Room, Raleigh, NC. Anyone wishing to submit written comment on any rule before the Commission should submit those comments to the RRC staff, the agency, and the individual Commissioners by Monday, December 16, 1996, at 5:00 p.m. Specific instructions and addresses may be obtained from the Rules Review Commission at 919-733-2721. Anyone wishing to address the Commission should notify the RRC staff and the agency at least 24 hours prior to the meeting.

RULES REVIEW COMMISSION MEMBERS

Appointed by Senate
 Vernice B. Howard
 Teresa L. Smallwood
 Charles H. Henry
 Philip O. Redwine - Vice Chairman

Appointed by House
 Bill Graham
 James Mallory, III
 Paul Powell
 Anita White

RULES REVIEW COMMISSION MEETING DATES

December 19, 1996	April 17, 1997
January 16, 1997	May 15, 1997
February 20, 1997	June 19, 1997
March 20, 1997	

MEETING DATE: DECEMBER 19, 1996

LOG OF FILINGS

RULES SUBMITTED: OCTOBER 20, 1996 THROUGH NOVEMBER 20, 1996

AGENCY/DIVISION	RULE NAME	RULE	ACTION
DEPARTMENT OF ADMINISTRATION			
	Purpose	1 NCAC 39 .0101	Amend
	Non-Major Activities	1 NCAC 39 .0201	Amend
AGRICULTURE/NC BOARD OF AGRICULTURE			
	Scope	2 NCAC 9C .0701	Amend
	Definitions	2 NCAC 9C .0702	Amend
	Labeling	2 NCAC 9C .0704	Repeal
	Transportation of Bees	2 NCAC 48A .0206	Amend
	Compliance Agreement	2 NCAC 48A .0211	Amend
	Infested Apiary Material	2 NCAC 48A .0214	Amend
	Unlawful Use of Plants	2 NCAC 48A .1103	Amend
	Standards	2 NCAC 48A .1110	Amend
	Report Required	2 NCAC 48B .0112	Amend
	Specialty Fertilizer	2 NCAC 48B .0114	Amend
	Data	2 NCAC 48B .0119	Amend
	Refusal of Registration	2 NCAC 48B .0120	Amend
	Health Regulations	2 NCAC 52B .0201	Amend
CULTURAL RESOURCES/USS NC BATTLESHIP COMMISSION			
	Hours of Operation	7 NCAC 5 .0202	Amend

DHR/DIVISION OF FACILITY SERVICES

Information Required	10 NCAC 3R .3103	Amend
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DHR/DIVISION OF VOCATIONAL REHABILITATION SERVICES

Division Actions	10 NCAC 20B .0204	Amend
Scheduling and Notice	10 NCAC 20B .0205	Amend
Appointment	10 NCAC 20B .0206	Amend
Administrative Review	10 NCAC 20B .0208	Amend
Administrative Review	10 NCAC 20B .0209	Amend
Administrative Review	10 NCAC 20B .0210	Amend
Pre-Hearing Conference	10 NCAC 20B .0214	Amend
Disqualification	10 NCAC 20B .0218	Amend
Failure to Appear	10 NCAC 20B .0222	Amend
Division Director's Review	10 NCAC 20B .0224	Amend
Record	10 NCAC 20B .0226	Amend
Transcripts	10 NCAC 20B .0227	Amend
Priority Categories	10 NCAC 20C .0603	Amend
Community Rehab Program	10 NCAC 20D .0204	Amend

DHR/DIVISION OF MEDICAL ASSISTANCE

Medicaid Criteria	10 NCAC 26B .0113	Adopt
Reimbursement Methods	10 NCAC 26H .0602	Amend

DEPARTMENT OF INSURANCE

Application Form	11 NCAC 6B .0101	Repeal
Biographical Affidavit	11 NCAC 6B .0102	Repeal
TPA Transmittal	11 NCAC 6B .0103	Repeal
Renewal Application Form	11 NCAC 6B .0104	Repeal
Renewal TPA Transmittal	11 NCAC 6B .0105	Repeal
Administrator's Questionnaire	11 NCAC 6B .0106	Repeal
Internal Control	11 NCAC 6B .0107	Repeal

DEHNR/MARINE FISHERIES COMMISSION

Definitions	15A NCAC 3I .0001	Amend
Leaving Devices Unattended	15A NCAC 3I .0005	Amend
Size Limit	15A NCAC 3L .0201	Amend
Season, Size and Harvest Limit	15A NCAC 3M .0202	Amend
Flounder	15A NCAC 3M .0503	Amend
Trout	15A NCAC 3M .0504	Amend
Snapper-Grouper	15A NCAC 3M .0506	Amend
Bluefish	15A NCAC 3M .0511	Amend
Trawl Nets Prohibited	15A NCAC 3R .0006	Amend
Designated Pot Areas	15A NCAC 3R .0007	Amend

DEHNR/SOIL AND WATER CONSERVATION COMMISSION

Definitions	15A NCAC 6E .0002	Amend
Allocation Guidelines	15A NCAC 6E .0003	Amend

DEHNR/WILDLIFE RESOURCES COMMISSION

Big Game Kill Reports	15A NCAC 10B .0113	Amend
Shining Lights in Deer Area	15A NCAC 10B .0115	Amend

DEHNR/COMMISSION FOR HEALTH SERVICES

Definitions	15A NCAC 18A .0134	Amend
Applicability of Rules	15A NCAC 18A .0136	Amend
General Requirements	15A NCAC 18A .0137	Amend
Separation of Operations	15A NCAC 18A .0159	Amend

Single-Service Containers	15A NCAC 18A .0168	Amend
Freezing	15A NCAC 18A .0169	Amend
Repacking	15A NCAC 18A .0173	Amend
Pasteurization Process Controls	15A NCAC 18A .0174	Amend
Preparation of Crustacea Meat	15A NCAC 18A .0175	Amend
Pasteurization of Crustacea Meat	15A NCAC 18A .0176	Amend
Bacteriological Standards	15A NCAC 18A .0182	Amend
Alternative Labeling	15A NCAC 18A .0183	Amend
Thermal Processing Controls	15A NCAC 18A .0184	Amend
Thermal Processing	15A NCAC 18A .0185	Amend
Labeling	15A NCAC 18A .0186	Amend
Interfacility Thermal Processing	15A NCAC 18A .0187	Amend
Definitions	15A NCAC 18A .0301	Amend
Permits	15A NCAC 18A .0302	Amend
Applicability of Rules	15A NCAC 18A .0401	Amend
Daily Record	15A NCAC 18A .0421	Amend
Shellfish Receiving	15A NCAC 18A .0424	Amend
Tagging	15A NCAC 18A .0425	Amend
Containers	15A NCAC 18A .0614	Amend
Shellfish Cooling	15A NCAC 18A .0615	Amend
Shellfish Freezing	15A NCAC 18A .0616	Amend
Shipping	15A NCAC 18A .0617	Amend
Heat Shock Method	15A NCAC 18A .0618	Amend
Shellfish Thawing	15A NCAC 18A .0620	Amend
Recall Procedure	15A NCAC 18A .0621	Amend
Definitions	15A NCAC 18A .0901	Amend
Definitions	15A NCAC 18A .1301	Amend
Approval of Plans	15A NCAC 18A .1302	Amend
Bedroom Furnishings	15A NCAC 18A .1319	Amend
Inspection Forms	15A NCAC 18A .1805	Amend

TRANSPORTATION/DIVISION OF MOTOR VEHICLES

Interstate Carriers	19A NCAC 3D .0510	Amend
General Information	19A NCAC 3E .0401	Amend
License Period	19A NCAC 3E .0403	Amend

NC REAL ESTATE COMMISSION

Display of License	21 NCAC 58A .0101	Amend
Agency Agreements	21 NCAC 58A .0104	Amend
Advertising	21 NCAC 58A .0105	Amend
Brokerage Fees	21 NCAC 58A .0109	Amend
Broker-in-Charge	21 NCAC 58A .0110	Amend
Filing and Fees	21 NCAC 58A .0302	Amend
License Renewal	21 NCAC 58A .0503	Amend
Active and Inactive Status	21 NCAC 58A .0504	Amend
Licensing Forms	21 NCAC 58A .1501	Amend
Forms	21 NCAC 58A .1502	Amend
Fair Housing	21 NCAC 58A .1601	Amend

OFFICE OF ADMINISTRATIVE HEARINGS

Definitions	26 NCAC 2C .0102	Amend
Original and Duplicate	26 NCAC 2C .0103	Amend
Waiver	26 NCAC 2C .0111	Adopt
Other Notices	26 NCAC 2C .0307	Adopt
Scope	26 NCAC 2C .0401	Amend
Publication of Temporary Rule	26 NCAC 2C .0502	Amend

RULES REVIEW OBJECTIONS

BOARD OF DENTAL EXAMINERS

21 NCAC 16H .0104 - Approved Education and Training Programs	RRC Objection	09/19/96
Agency Revised Rule	Obj. Removed	10/17/96
21 NCAC 16H .0202 - Specific Permitted Functions of Dental Assistant I	RRC Objection	09/19/96
Agency Revised Rule	Obj. Removed	10/17/96

ENVIRONMENT, HEALTH, AND NATURAL RESOURCES

Environmental Management

15A NCAC 2B .0101 - General Procedures	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
Agency Responded	Obj. Cont'd	09/19/96
Rule Returned to Agency	Obj. Cont'd	09/19/96
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96
15A NCAC 2B .0103 - Analytical Procedures	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
Agency Revised Rule	Obj. Cont'd	09/19/96
Rule Returned to Agency	Obj. Cont'd	09/19/96
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96
15A NCAC 2B .0109 - Waters Affected by Dredge and Fill Activities	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
	Obj. Removed	09/19/96
15A NCAC 2B .0201 - Antidegradation Policy	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
Agency Responded	Obj. Cont'd	09/19/96
Rule Returned to Agency	Obj. Cont'd	09/19/96
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96
15A NCAC 2B .0202 - Definitions	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
Agency Revised Rule	Obj. Cont'd	09/19/96
Rule Returned to Agency	Obj. Cont'd	09/19/96
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96
15A NCAC 2B .0231 - Wetland Standards (Rule .0231 was Noticed as Rule .0220)	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
Agency Responded	Obj. Cont'd	09/19/96
Rule Returned to Agency	Obj. Cont'd	09/19/96
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96
15A NCAC 2C .0211 - Permits	RRC Objection	08/15/96
Agency Revised Rule	Obj. Removed	09/19/96
15A NCAC 2C .0213 - Additional Criteria and Standards Applicable to Class 5 Wells	RRC Objection	08/15/96
Agency Revised Rule	Obj. Removed	09/19/96
15A NCAC 2C .0214 - Abandonment and Change-of-Status of Wells	RRC Objection	08/15/96
Agency Revised Rule	Obj. Removed	09/19/96
15A NCAC 2H .0501 - Purpose	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
Agency Responded	Obj. Cont'd	09/19/96
Rule Returned to Agency	Obj. Cont'd	09/19/96
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96
15A NCAC 2H .0502 - Application	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
Agency Responded	Obj. Cont'd	09/19/96
Rule Returned to Agency	Obj. Cont'd	09/19/96
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96
15A NCAC 2H .0503 - Public Notice	RRC Objection	07/18/96

<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	<i>08/15/96</i>
<i>Agency Responded</i>	<i>Obj. Cont'd</i>	<i>09/19/96</i>
<i>Rule Returned to Agency</i>	<i>Obj. Cont'd</i>	<i>09/19/96</i>
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96
15A NCAC 2H .0504 - Hearing	RRC Objection	07/18/96
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	<i>08/15/96</i>
<i>Agency Responded</i>	<i>Obj. Cont'd</i>	<i>09/19/96</i>
<i>Rule Returned to Agency</i>	<i>Obj. Cont'd</i>	<i>09/19/96</i>
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96
15A NCAC 2H .0506 - Criteria for Review of Applications	RRC Objection	07/18/96
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	<i>08/15/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Cont'd</i>	<i>09/19/96</i>
<i>Rule Returned to Agency</i>	<i>Obj. Cont'd</i>	<i>09/19/96</i>
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96
15A NCAC 2H .0507 - Issuance of Certification	RRC Objection	07/18/96
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	<i>08/15/96</i>
<i>Agency Responded</i>	<i>Obj. Cont'd</i>	<i>09/19/96</i>
<i>Rule Returned to Agency</i>	<i>Obj. Cont'd</i>	<i>09/19/96</i>
Agency Filed Rule for Codification Over RRC Objection	Eff.	10/01/96

Commission for Health Services

15A NCAC 13C .0302 - General Provisions	RRC Objection	09/19/96
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	<i>10/17/96</i>
15A NCAC 13C .0304 - Minimum Qualifications for Registered Env. Consultants	RRC Objection	09/19/96
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	<i>10/17/96</i>
15A NCAC 13C .0306 - Technical Standards for Registered Environmental Consultants	RRC Objection	09/19/96
<i>No Response from Agency</i>	<i>Obj. Cont'd</i>	<i>10/17/96</i>
15A NCAC 18A .3106 - Abatement	RRC Objection	07/18/96
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>08/15/96</i>

Wildlife Resources Commission

15A NCAC 10F .0104 - Certificate of Number	RRC Objection	07/18/96
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>08/15/96</i>
15A NCAC 10F .0105 - Numbering Pattern	RRC Objection	07/18/96
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>08/15/96</i>

HUMAN RESOURCES

Facility Services

10 NCAC 3R .0305 - Filing Applications		
<i>Rule Withdrawn by Agency</i>		<i>10/17/96</i>
10 NCAC 3R .1003 - State Medical Facilities Plan		
<i>Rule Withdrawn by Agency</i>		<i>10/17/96</i>
10 NCAC 3R .1127 - Required Staffing and Staff Training		
<i>Rule Withdrawn by Agency</i>		<i>10/17/96</i>
10 NCAC 3R .2410 - Information Required of Applicant	RRC Objection	10/17/96
10 NCAC 3R .2412 - Staffing and Staff Training	RRC Objection	10/17/96
10 NCAC 3R .2510 - Information Required of Applicant	RRC Objection	10/17/96
10 NCAC 3R .2512 - Staffing and Staff Training	RRC Objection	10/17/96
10 NCAC 3R .2612 - Information Required of Applicant	RRC Objection	10/17/96
10 NCAC 3R .3030 - Facility and Service Need Determinations	RRC Objection	10/17/96
10 NCAC 3R .3040 - Reallocations and Adjustments	RRC Objection	10/17/96
10 NCAC 3R .3050 - Policies	RRC Objection	10/17/96
10 NCAC 3U .0102 - Definitions	RRC Objection	10/17/96
10 NCAC 3U .0704 - Preservice Requirements for Administrators	RRC Objection	10/17/96
10 NCAC 3U .0710 - Preservice Requirements for Teachers and Aides	RRC Objection	10/17/96
10 NCAC 3U .2701 - Application for Permits	RRC Objection	10/17/96

10 NCAC 3U .2702 - Criminal Record Check Requirements for Child Care Providers	RRC Objection	10/17/96
10 NCAC 3U .2703 - Criminal Record Check Reqs for Current Child Care Providers	RRC Objection	10/17/96
10 NCAC 3U .2704 - Criminal Record Check Reqs for Nonregistered Home Providers	RRC Objection	10/17/96
Social Services Commission		
10 NCAC 41F .0707 - Criminal Histories	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
Agency Revised Rule	Obj. Removed	09/19/96
10 NCAC 41F .0813 - Criminal History Checks	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
Agency Revised Rule	Obj. Removed	09/19/96
10 NCAC 41F .0814 - Training Requirements	RRC Objection	07/18/96
No Response from Agency	Obj. Cont'd	08/15/96
Agency Revised Rule	Obj. Removed	09/19/96
INSURANCE		
11 NCAC 20 .0101 - Definitions	RRC Objection	08/15/96
Agency Revised Rule	Obj. Removed	09/19/96
11 NCAC 20 .0402 - Organization Structure	RRC Objection	08/15/96
Agency Revised Rule	Obj. Removed	09/19/96
11 NCAC 20 .0404 - Application	RRC Objection	08/15/96
Agency Revised Rule	Obj. Removed	09/19/96
11 NCAC 20 .0406 - Provider Files	RRC Objection	08/15/96
Agency Revised Rule	Obj. Removed	09/19/96
11 NCAC 20 .0501 - Program	RRC Objection	08/15/96
Agency Revised Rule	Obj. Removed	09/19/96
11 NCAC 20 .0502 - Structure	RRC Objection	08/15/96
Agency Revised Rule	Obj. Removed	09/19/96
11 NCAC 20 .0505 - Quality of Care Complaints	RRC Objection	08/15/96
Agency Revised Rule	Obj. Removed	09/19/96
11 NCAC 20 .0701 - Accessibility of Providers	RRC Objection	08/15/96
Agency Withdrew Rule	Obj. Cont'd	09/19/96
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21 NCAC 37H .0102 - Continuing Education Programs of Study	RRC Objection	07/18/96
Agency Revised Rule	Obj. Removed	08/15/96
PSYCHOLOGY BOARD		
21 NCAC 54 .1901 - Types	RRC Objection	08/15/96
Agency Revised Rule	Obj. Removed	09/19/96
REVENUE		
17 NCAC 1C .0504 - EFT General Requirements	RRC Objection	08/15/96
Agency Revised Rule	Obj. Removed	09/19/96
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21 NCAC 69 .0102 - Duties of Officers	RRC Objection	09/19/96
Agency Revised Rule	Obj. Removed	10/17/96
21 NCAC 69 .0302 - Definitions	RRC Objection	09/19/96
Agency Revised Rule	Obj. Removed	10/17/96
21 NCAC 69 .0303 - Requirements	RRC Objection	09/19/96
Agency Revised Rule	Obj. Removed	10/17/96
21 NCAC 69 .0304 - Units	RRC Objection	09/19/96
Agency Revised Rule	Obj. Removed	10/17/96
21 NCAC 69 .0305 - Determination of Credit	RRC Objection	09/19/96
Agency Revised Rule	Obj. Removed	10/17/96
21 NCAC 69 .0307 - Exemptions	RRC Objection	09/19/96

<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>10/17/96</i>
<i>21 NCAC 69 .0401 - Code of Professional Conduct</i>	<i>RRC Objection</i>	<i>09/19/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>10/17/96</i>
<i>21 NCAC 69 .0402 - Rules of Conduct of Advertising</i>	<i>RRC Objection</i>	<i>09/19/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>10/17/96</i>

TRANSPORTATION

Division of Highways

<i>19A NCAC 2D .1102 - Definitions</i>	<i>RRC Objection</i>	<i>08/15/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>09/19/96</i>
<i>19A NCAC 2D .1108 - Goals</i>	<i>RRC Objection</i>	<i>08/15/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>09/19/96</i>
<i>19A NCAC 2D .1111 - Performance Related Replacement of Eligible Firms</i>	<i>RRC Objection</i>	<i>08/15/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>09/19/96</i>

Division of Motor Vehicles

<i>19A NCAC 3E .0511 - Registration of Interstate Authority</i>	<i>RRC Objection</i>	<i>09/19/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>10/17/96</i>

Public Transportation and Rail Division

<i>19A NCAC 6B .0412 - Procurements</i>	<i>RRC Objection</i>	<i>08/15/96</i>
<i>Agency Revised Rule</i>	<i>Obj. Removed</i>	<i>09/19/96</i>

This Section contains the full text of some of the more significant Administrative Law Judge decisions along with an index to all recent contested cases decisions which are filed under North Carolina's Administrative Procedure Act. Copies of the decisions listed in the index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698.

OFFICE OF ADMINISTRATIVE HEARINGS

Chief Administrative Law Judge
JULIAN MANN, III

Senior Administrative Law Judge
FRED G. MORRISON JR.

ADMINISTRATIVE LAW JUDGES

Brenda B. Becton
Sammie Chess Jr.
Beecher R. Gray
Meg Scott Phipps

Robert Roosevelt Reilly Jr.
Dolores O. Smith
Thomas R. West

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Cole Entertainment, Inc. v. Alcoholic Beverage Control Commission	95 ABC 0917	West	08/21/96	11:12 NCR 1027
Fuad Saif Murshed v. Alc. Bev. Ctl. Comm. & Durham Mem. Bapt. Ch.	95 ABC 0922	Chess	04/24/96	
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City of Raleigh v. Alcoholic Beverage Control Commission	95 ABC 1143	Morrison	11/08/96	11:17 NCR 1362
and				
Marshall Stewart, III, Robert David Park, and Park Stewart Inc.				
Alcoholic Beverage Control Commission v. Maria Virginia Tramontano	95 ABC 1200	West	04/23/96	
Alcoholic Beverage Control Commission v. Huffinan Oil Co., Inc.	95 ABC 1251	West	04/03/96	11:03 NCR 166
Pinakin P. Talate v. Alcoholic Beverage Control Commission	95 ABC 1329	West	04/10/96	
Alcoholic Beverage Control Commission v. Entrepreneur, Inc.	95 ABC 1363	Reilly	05/02/96	
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Bro Bee, Inc. v. Alcoholic Beverage Control Commission	95 ABC 1480	West	04/15/96	
Alcoholic Beverage Control Commission v. Donald Ray Doak	95 ABC 1488	West	03/29/96	
Alcoholic Beverage Control Commission v. Janice Lorraine Jeter	96 ABC 0013	Reilly	04/26/96	
Alcoholic Beverage Control Commission v. Well Informed, Inc.	96 ABC 0016	Chess	05/28/96	
Alcoholic Beverage Control Commission v. Kubbard, Inc.	96 ABC 0017	Reilly	05/20/96	
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Alcoholic Beverage Control Commission v. Jacqueline Robin Anthony	96 ABC 0184	Phipps	05/09/96	
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Alcoholic Beverage Control Commission v. Triangle Drive-In	96 ABC 0443	Reilly	06/11/96	
Alcoholic Beverage Control Commission v. Beroth Oil Company	96 ABC 0447	Morrison	08/30/96	11:13 NCR 1085
Alcoholic Beverage Control Commission v. Beroth Oil Company	96 ABC 0448	Morrison	08/30/96	
Alcoholic Beverage Control Commission v. Beroth Oil Company	96 ABC 0449	Morrison	08/30/96	
Alcoholic Beverage Control Commission v. Beroth Oil Company	96 ABC 0450	Morrison	08/30/96	
Alcoholic Beverage Control Commission v. Giles Rozier	96 ABC 0473	Morrison	09/19/96	
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Alcoholic Beverage Control Comm. v. Crown Central Petroleum Corp.	96 ABC 0482	Morrison	10/18/96	
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Alcoholic Beverage Control Comm. v. Centergrove Entertainment Ent.	96 ABC 0583	Reilly	08/12/96	
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Barry G. York v. Auctioneer Licensing Board	96 CFA 0297	Smith	10/18/96	

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James J. Lewis v. Department of Correction	96 DOC 0772	West	09/05/96	
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Roland Lee Kelly, Jr. v. United Family Services, Victim Assistance/Crime Victims Compensation Comm.	95 CPS 0568	Morrison	05/29/96	
Robert F. Bronsdon v. Crime Victims Compensation Commission	95 CPS 1216	Chess	05/28/96	
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Kenneth Saunders v. Victims Compensation Commission	95 CPS 1445	Chess	03/26/96	
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Joselito D. Pilar v. Department of Human Resources	95 CSE 1180	Chess	03/01/96	
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Dennis L. McNeill v. Department of Human Resources	95 CSE 1435	Becton	03/13/96	
Tony A. Rogers v. Department of Human Resources	95 CSE 1436	Chess	05/16/96	
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Alan Kendall Locklear v. Department of Human Resources	96 CSE 0503	West	05/30/96	
Douglas F. McBryde v. Department of Human Resources	96 CSE 0518	Becton	08/19/96	
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James Trevor Emerson v. Department of Human Resources	96 CSE 0545	Phipps	07/25/96	
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Johnnie B. Walton v. Department of Human Resources	96 CSE 1071	Smith	11/14/96	
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Jeanne G. Bishop v. Department of Human Resources	95 DCS 0958	West	04/04/96	
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Laura Heidorf v. Department of Human Resources	96 DCS 0065	Reilly	03/22/96	
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Debra D. Hammonds v. Department of Human Resources	96 DCS 0792	Chess	10/08/96	

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Carol M. Hall v. Teachers & State Employees Comp. Major Medical Plan	95 INS 1141	Phipps	04/01/96	
Arthur Wayne Dempsey v. Department of Insurance	95 INS 1255	Smith	04/22/96	
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<i>Education and Training Standards Division</i>				
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Carlton Gerald v. Criminal Justice Ed. & Training Stds. Comm.	96 DOJ 0068	Gray	03/26/96	
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Carlton Gerald v. Criminal Justice Ed. & Training Stds. Comm.	96 DOJ 0432	Becton	08/07/96	
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J.T.S. & T.S., Parents of E.M.S. v. Chapel Hill-Carrboro City Schl. Sys.	95 EDC 1194	Mann	04/12/96	
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W. and G.B., on Behalf of C.B. v. Winston-Salem/Forsyth Cty. Schools	96 EDC 0349	Mann	09/03/96	
Cyvonne Rush Bryant v. NC State Board of Education	96 EDC 0591	Becton	09/11/96	
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Jimnie A. Hughes, Jr. v. Department of Administration	96 OSP 0008	Reilly	07/23/96	
Jonathan L. Fann v. Department of Administration, Admin. Personnel	96 OSP 0042	Gray	05/24/96	
Carlton Gerald v. State Capitol Police, Department of Administration	96 OSP 0116	Gray	04/25/96	
<i>Administrative Office of the Court</i>				
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<i>Albemarle Mental Health Center</i>				
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<i>NC Central University</i>				
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<i>Central North Carolina School for the Deaf</i>				
Felicia S. Milton v. Central North Carolina School for the Deaf	95 OSP 1241	Chess	05/17/96	
<i>Department of Correction</i>				
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Alisha Louise Staley v. Randolph Correctional Center	96 OSP 0092	Gray	06/03/96	
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Dwight Taylor, Mike Estep, Jackie Boone, Robert Pitman, Jeffery Clark v. Department of Correction	96 OSP 0373**	Smith	07/05/96	
Dwight Taylor, Mike Estep, Jackie Boone, Robert Pitman, Jeffery Clark v. Department of Correction	96 OSP 0374**	Smith	07/05/96	
Dwight Taylor, Mike Estep, Jackie Boone, Robert Pitman, Jeffery Clark v. Department of Correction	96 OSP 0375**	Smith	07/05/96	
Dwight Taylor, Mike Estep, Jackie Boone, Robert Pitman, Jeffery Clark v. Department of Correction	96 OSP 0376**	Smith	07/05/96	
Rebecca A. Faison v. Department of Correction for Women	96 OSP 0383	Becton	10/01/96	

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James A. Klein v. Department of Correction	96 OSP 0434	Gray	10/29/96	
Tony R. Broffman v. Department of Correction	96 OSP 0625	Becton	08/29/96	
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CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
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Lisa Ann Lee v. Department of Transportation	95 OSP 1099	Reilly	07/31/96	
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Charles E. Houlik v. UNC Hospitals	96 UNC 0588	Morrison	08/09/96	

* Consolidated cases.

STATE OF NORTH CAROLINA
COUNTY OF WAKE

**IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
95 ABC 1143**

CITY OF RALEIGH,)
Petitioner,)
)
v.)
)
N.C. ALCOHOLIC BEVERAGE CONTROL)
COMMISSION,)
Respondent,)
)
and)
)
MARSHALL STEWART, III, ROBERT DAVID)
PARK, AND PARK STEWART INC. t/a)
CRAZY ZACK'S BAR,)
Intervenors.)

RECOMMENDED DECISION

This matter was heard before Senior Administrative Law Judge Fred G. Morrison Jr. in the Office of Administrative Hearings, on July 9 & 10, 1996 in Raleigh, North Carolina. Petitioner and Respondent filed proposed Findings of Fact and Conclusions of Law on August 26, 1996, and also filed comments on an Oregon case on October 2 and 7 respectively.

APPEARANCES

Dorothy K. Woodward, Associate City Attorney, for the Petitioner.

Glenn B. Lassiter, Jr., Deputy General Counsel, and Melissa C. Owens, Assistant Counsel, for the Respondent.

None for the Respondent-Intervenors.

ISSUE

Whether the Respondent abused its discretion by issuing an ABC permit to the Respondent-Intervenors over the objection of the Petitioner.

FINDINGS OF FACT

1. From at least 1972, numerous alcohol sales outlets have operated in a 1-1½ mile strip along Hillsborough Street in the Raleigh City Limits. These outlets are concentrated along Hillsborough Street between the intersections with Oberlin Road and with Shepard Street.
2. A residential neighborhood lies in the next block behind Hillsborough Street. This neighborhood extends out to at least Wade Avenue.
3. West Raleigh Presbyterian Church is located at Vanderbilt and Horne Streets. Vanderbilt is one block north of Hillsborough Street and runs parallel to it; Horne Street intersects Hillsborough Street. The church operates a day care center for children at this location.
4. The City's zoning along Hillsborough Street allows for the operation of businesses. Businesses front the north side of Hillsborough Street, and a few businesses are located on the south side. North Carolina State University is also located on the south side.

5. The "Hillsborough Street neighborhood" or "the neighborhood" is defined as the area bordered Hillsborough Street, Oberlin Road, Clark Avenue, and Shepard Street.
6. The sale and consumption of alcohol creates unique problems for law enforcement officers and for those living near the outlets. The alcohol-related problems routinely faced by law enforcement officers include fights, traffic accidents, littering, public urination, petty theft, and destruction of property.
7. Alcohol sales and consumption have created problems in the Hillsborough Street neighborhood. Problems have been most acute along Hillsborough Street and the residential areas closest to it.
8. Both residents and some business operators have voiced concerns to the City and to the ABC Commission about alcohol-related problems in the Hillsborough Street neighborhood.
9. The City's Police Department and residents of the neighborhood have dealt with alcohol-related problems for at least 24 years. Those problems have gradually increased over the past 19 years and remedial action is needed.
10. During the past 24 years, the number of alcohol sales establishments has remained roughly constant. The number of bars operating during late night hours has increased slightly.
11. The City has attempted to ameliorate alcohol-related problems in the neighborhood by various means. These include increased patrols by Raleigh Police Officers, hiring of new Police personnel for the Hillsborough Street area at a yearly expense of approximately \$68,000, conducting of undercover operations along Hillsborough Street, parking restrictions to residents-only during certain hours, and revisions to the City's ordinances relating to noise. The City's efforts have met with limited success.
12. Each additional alcohol sales outlet brings with it an increase in alcohol-related problems. A decrease in the number of alcohol sales outlets will, more likely than not, reduce the total number of alcohol-related problems.
13. On January 6, 1995, Intervenor submitted an application for an on-premise malt beverage permit to operate Crazy Zack's Bar at 2502½ Hillsborough Street. The ABC Commission issued a 30-day temporary permit to the Intervenor on January 6, 1995. The Commission issued a second 30-day temporary permit to the Intervenor on March 9, 1995. The Intervenor first opened for business on or around June 6, 1995. The Commission issued a permanent on-premise malt beverage permit to the Intervenor on August 18, 1995.
14. At the time they submitted their application to the Commission, Intervenor intended to operate Crazy Zack's as a bar that was open only during late night hours.
15. On February 1, 1995, the City lodged its objection with the Commission to the issuance of an ABC permit to the Intervenor. The City's objection was based on the suitability of the business location, not on the suitability of the applicants.
16. 2502½ Hillsborough Street is located 26 feet from West Raleigh Presbyterian Church and the day care center the church operates. Prior to August, 1995, the church had experienced damage to its property that it related to alcohol use. Church leaders asked the Commission to deny Crazy Zack's permit application and advised the Commission of property damage the church had suffered.
17. The Commission, as constituted on August 16, 1995, delegated its authority to decide whether to issue permanent ABC permits to Ken Gilliam, the Commission's Permit Compliance Director. The Commission did not give Mr. Gilliam any guidelines to follow in deciding whether to issue a permanent permit.
18. Because he had no guidance from the Commission, Mr. Gilliam did not consider whether the number of establishments already holding ABC permits in the neighborhood was excessive.
19. Mr. Gilliam did not know how to apply G.S. 18B-901(c)(2) to the Hillsborough Street area. Mr. Gilliam did not apply G.S. 18B-901(c)(2) in deciding whether 2502½ Hillsborough Street was a suitable location to hold an on-premise malt beverage permit.

20. The Commission had previously determined that 2502½ Hillsborough Street was not a suitable location for an ABC permit in connection with the operation of an establishment called "ACC Tavern."
21. Every ABC permit that the Commission issues carries with it some detriment to the neighborhood immediately surrounding it.
22. The Hillsborough Street neighborhood has a higher crime rate than exists in other parts of the City. Raleigh Police Officers frequently respond to 911 calls concerning disturbances, fights, littering, traffic violations or accidents, panhandling, public urination, larcenies, excessive noise, breaking and entering into vehicles, and open container violations in the Hillsborough Street neighborhood.
23. Traffic conditions in the neighborhood are bad and were bad at the time that the Commission considered the Intervenor's application. Intervenor's had little to no parking available for their patrons.
24. During the time that Crazy Zack's operated on a temporary permit, some of its belligerent patrons were directed to leave the bar by the Intervenor's employees. They did so and began to fight on the public sidewalk immediately outside Crazy Zack's door on Hillsborough Street. None of the Intervenor's employees followed the patrons out of the bar or took any other step to avoid a public altercation.
25. The Commission was aware in August of 1995 that the City wanted to decrease the total number of alcohol outlets in the Hillsborough Street Neighborhood.
26. N.C. State University's Chancellor had advised the Commission prior to August of 1995, and in connection with Intervenor's application, that there was an excessive number of ABC permits in the Hillsborough Street neighborhood.
27. The number of alcohol sales outlets in the neighborhood is excessive. The excessive number of outlets causes significant harm to the residents in the neighborhood.

CONCLUSIONS OF LAW

1. The Office of Administrative Hearings has personal and subject matter jurisdiction over this contested case pursuant to Chapters 18B and 150B of the North Carolina General Statutes.
2. The ABC Commission has been given exclusive authority by the North Carolina legislature to determine whether to issue permits to sell alcohol. The Commission may issue a permit when it is satisfied that the applicant is a suitable person to hold an ABC permit and that the location is a suitable place to hold the permit for which the applicant has applied. A city or town may not prohibit alcohol sales through its ordinances. G.S. 18B-106; In re: Melkonian, 85 N.C. App. 351 (1987).
3. The ABC Commission is required to give careful and impartial consideration to the following factors, among others, in deciding whether a business location is suitable:
 - (a) the number of places already holding ABC permits in the neighborhood;
 - (b) parking and traffic conditions in the neighborhood;
 - (c) whether the proposed location is within 50 feet of a church;
 - (d) the recommendations of the local governing body; and
 - (e) any other evidence that would tend to show whether operation of the proposed business at that location would be detrimental to the neighborhood.

G.S. 18B-901(c).
4. Once granted, a permanent ABC permit is valid indefinitely. G.S. 18B-903(a).
5. The Commission did not give fair and impartial consideration to the factor contained in G.S. 18B-901(c)(2), the number of places already holding ABC permits in the neighborhood.

6. There are an excessive number of ABC permits operating along Hillsborough Street. This excessive number has caused serious problems for the residents in the neighborhood, and the City's varied efforts to deal with those problems have been of limited success. A careful and impartial decision on the factor listed in G.S. 18B-901(c)(2) requires that the Commission control the total number of permits operating in this neighborhood.
7. In making a reasoned decision concerning each of the mandatory factors contained in G.S. 18B-901(c), the Commission must make a determination based on the greater weight of the evidence.
8. Based on the greater weight of the evidence, the Commission could have denied the Intervenor's application in accordance with the factors set out in G.S. 18B-901(c)(3), (c)(5), and (c)(7).
9. In addition, the greater weight of the evidence established that granting a permanent ABC permit to Intervenor to operate a bar open only during late night hours would be detrimental to the neighborhood; therefore, the Commission could have denied the application pursuant to G.S. 18B-901(c)(8).

RECOMMENDED DECISION

Based upon the foregoing Findings of Fact and Conclusions of Law, it is recommended that the Alcoholic Beverage Control Commission reconsider the decision to issue a permanent on-premise malt beverage permit to the Intervenor.

ORDER

It is hereby ordered that the agency serve a copy of the final decision on the Office of Administrative Hearings, P.O. Drawer 27447, Raleigh, NC 27611-7747, in accordance with North Carolina General Statute 150B-36(b).

NOTICE

The agency making the final decision in this contested case is required to give each party an opportunity to file exceptions to this recommended decision and to present written arguments to those in the agency who will make their final decision. G.S. 150B-36(a).

The agency is required by G.S. 150B-36(b) to serve a copy of the final decision on all parties and to furnish a copy to the parties' attorney on record and to the Office of Administrative Hearings.

The agency that will make the final decision in this contested case is the N.C. Alcoholic Beverage Control Commission.

This the 8th day of November, 1996.

Fred G. Morrison Jr.
Senior Administrative Law Judge

The North Carolina Administrative Code (NCAC) has four major subdivisions of rules. Two of these, titles and chapters, are mandatory. The major subdivision of the NCAC is the title. Each major department in the North Carolina executive branch of government has been assigned a title number. Titles are further broken down into chapters which shall be numerical in order. The other two, subchapters and sections are optional subdivisions to be used by agencies when appropriate.

TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE

TITLE DEPARTMENT LICENSING BOARDS CHAPTER

1	Administration	Acupuncture	1
2	Agriculture	Architecture	2
3	Auditor	Auctioneers	4
4	Commerce	Barber Examiners	6
5	Correction	Certified Public Accountant Examiners	8
6	Council of State	Chiropractic Examiners	10
7	Cultural Resources	General Contractors	12
8	Elections	Cosmetic Art Examiners	14
9	Governor	Dental Examiners	16
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11	Insurance	Electrical Contractors	18
12	Justice	Electrolysis	19
13	Labor	Foresters	20
14A	Crime Control & Public Safety	Geologists	21
15A	Environment, Health, and Natural Resources	Hearing Aid Dealers and Fitters	22
16	Public Education	Landscape Architects	26
17	Revenue	Landscape Contractors	28
18	Secretary of State	Marital and Family Therapy	31
19A	Transportation	Medical Examiners	32
20	Treasurer	Midwifery Joint Committee	33
*21	Occupational Licensing Boards	Mortuary Science	34
22	Administrative Procedures	Nursing	36
23	Community Colleges	Nursing Home Administrators	37
24	Independent Agencies	Occupational Therapists	38
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27	NC State Bar	Osteopathic Examination & Reg. (Repealed)	44
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Note: Title 21 contains the chapters of the various occupational licensing boards.

CUMULATIVE INDEX

(April 1996 - March 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

This index provides information related to notices, rules and other documents published in the Register. The information provided below includes notices and rules published on or after December 1, 1995 and will be cumulative through March 1997. For assistance contact the Rules Division at 919/733-2678.

Fiscal Note: S = Rule affects the expenditure or distribution of state funds. L = Rule affects the expenditure or distribution of local government funds. SE = Rule has a substantial economic impact of at least \$5,000,000 in a 12-month period. * = Rule-making agency has determined that the rule does not impact state or local funds and does not have a substantial economic impact. See G.S. 150B-21.4.

ACUPUNCTURE LICENSING BOARD

10:22 NCR 2860

21 NCAC 01 .0301										
21 NCAC 01 .0705	10:17 NCR 2228		10:22 NCR 2834	*	Approve	04/18/96	*		11:04 NCR 220	
21 NCAC 01 .0709	10:17 NCR 2228		10:22 NCR 2834	*	Approve	04/18/96	*		11:04 NCR 220	

ADMINISTRATIVE HEARINGS

Hearings Division

26 NCAC 03 .0301	11:03 NCR 110		11:09 NCR 588	*	Approve	10/17/96			11:16 NCR 1291	
26 NCAC 03 .0302	11:03 NCR 110		11:09 NCR 588	*	Approve	10/17/96			11:16 NCR 1291	
26 NCAC 03 .0303	11:03 NCR 110		11:09 NCR 588	*	Approve	10/17/96			11:16 NCR 1291	
26 NCAC 03 .0304	11:03 NCR 110		11:09 NCR 588	*	Approve	10/17/96			11:16 NCR 1291	
26 NCAC 03 .0305	11:03 NCR 110		11:09 NCR 588	*	Approve	10/17/96			11:16 NCR 1291	

Rules Division

26 NCAC 02C .0102	11:09 NCR 570		11:13 NCR 1058	*						
26 NCAC 02C .0103	11:09 NCR 570		11:13 NCR 1058	*						
26 NCAC 02C .0111	11:09 NCR 570		11:13 NCR 1058	*						
26 NCAC 02C .0307	11:09 NCR 570		11:13 NCR 1058	*						
26 NCAC 02C .0401	11:09 NCR 570		11:13 NCR 1058	*						
26 NCAC 02C .0502	11:09 NCR 570		11:13 NCR 1058	*						

ADMINISTRATION

1 NCAC 39 .0101	10:16A NCR 1672		11:14 NCR 1111	*						
1 NCAC 39 .0201	10:16A NCR 1672		11:14 NCR 1111	*						

State Building Commission

1 NCAC 30G .0101		11:04 NCR 194								
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CUMULATIVE INDEX

(April 1996 - March 1997)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
1 NCAC 30G .0102		11:04 NCR 194								
1 NCAC 30G .0103		11:04 NCR 194								
1 NCAC 30G .0104		11:04 NCR 194								
1 NCAC 30G .0105		11:04 NCR 194								
AGRICULTURE										
2 NCAC 09C .0701	10:24 NCR 3056	11:05 NCR 282	11:06 NCR 324	*						
2 NCAC 09C .0702	10:24 NCR 3056	11:05 NCR 282	11:06 NCR 324	*						
2 NCAC 09C .0704	10:24 NCR 3056	11:05 NCR 282	11:06 NCR 324	*						
2 NCAC 48A .0206	10:24 NCR 3056		11:06 NCR 324	*						
2 NCAC 48A .0211	10:24 NCR 3056		11:06 NCR 324	*						
2 NCAC 48A .0214	10:24 NCR 3056		11:06 NCR 324	*						
2 NCAC 48A .1103	10:24 NCR 3056		11:06 NCR 324	*						
2 NCAC 48A .1110	10:24 NCR 3056		11:06 NCR 324	*						
2 NCAC 48B .0112	10:24 NCR 3056		11:06 NCR 324	*						
2 NCAC 48B .0114	10:24 NCR 3056		11:06 NCR 324	*						
2 NCAC 48B .0119	10:24 NCR 3056		11:06 NCR 324	*						
2 NCAC 48B .0120	10:24 NCR 3056		11:06 NCR 324	*						
2 NCAC 52B .0200	11:14 NCR 1107									
2 NCAC 52B .0201	10:24 NCR 3056		11:06 NCR 324	*						
2 NCAC 52B .0300	11:14 NCR 1107		11:06 NCR 324	*						
2 NCAC 52C .0700	11:14 NCR 1107		11:06 NCR 324	*						
Marketing Authority										
2 NCAC 43F	11:14 NCR 1107									
2 NCAC 43H	11:14 NCR 1107									
2 NCAC 43L	11:14 NCR 1107									
Plant Conservation Board										
2 NCAC 48F .0301	11:07 NCR 407		11:11 NCR 883	*						
2 NCAC 48F .0302	11:07 NCR 407		11:11 NCR 883	*						

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2 NCAC 48F .0304	11:07 NCR 407		11:11 NCR 883	*						
2 NCAC 48F .0305	11:07 NCR 407		11:11 NCR 883	*						
2 NCAC 48F .0306	11:07 NCR 407		11:11 NCR 883	*						
COMMERCE										
4 NCAC 01E	11:09 NCR 569									
4 NCAC 01F	11:09 NCR 569									
4 NCAC 01H	11:09 NCR 569									
4 NCAC 01I	11:09 NCR 569									
4 NCAC 01J	11:09 NCR 569									
4 NCAC 01K	11:09 NCR 569									
Community Assistance										
4 NCAC 01K .0501	11:09 NCR 569									
4 NCAC 01K .0502	11:09 NCR 569									
4 NCAC 01K .0503	11:09 NCR 569									
4 NCAC 01K .0504	11:09 NCR 569									
4 NCAC 01K .0505	11:09 NCR 569									
4 NCAC 01K .0506	11:09 NCR 569									
4 NCAC 19L .0401	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0403	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0404	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0407	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0501	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0502	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0505	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0706	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0707	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0708	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L .0802	11:09 NCR 569		11:14 NCR 1113	*						

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4 NCAC 19L.0805	11:09 NCR 569									
4 NCAC 19L.0901	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.0906	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.0907	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.0911	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.1002	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.1004	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.1009	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.1011	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.1301	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.1302	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.1303	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.1701	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.1702	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.1703	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.1801	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.1802	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.1803	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.1804	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.1805	11:09 NCR 569		11:14 NCR 1113	*						
4 NCAC 19L.1900	11:09 NCR 569		11:14 NCR 1113	*						

Credit Union Division

4 NCAC 06C.0205	10:18 NCR 2398									
4 NCAC 06C.0407	10:18 NCR 2398									
4 NCAC 06C.0409	10:18 NCR 2398									

Energy

4 NCAC 12C.0007										
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State Ports Authority

Approve	07/18/96								11:10 NCR 843	
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4 NCAC 13A .0101	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13A .0102	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13A .0105	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13A .0202	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13A .0203	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13A .0204	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13B .0001	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13B .0002	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13B .0003	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13B .0004	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13B .0005	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13C .0001	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13D .0101	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0101	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0102	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0103	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0201	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0202	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0301	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0302	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0401	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0402	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0403	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0404	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0405	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0501	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0502	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0601	10:24 NCR 3056		11:13 NCR 1040	*						

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4 NCAC 13E .0602	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0603	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0701	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0702	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0801	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0803	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0901	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13E .0902	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13F .0301	10:24 NCR 3056		11:13 NCR 1040	*						
4 NCAC 13F .0302	10:24 NCR 3056		11:13 NCR 1040	*						

COMMUNITY COLLEGES

23 NCAC 02D .0202	11:17 NCR 1336									
23 NCAC 02D .0325	10:24 NCR 3058		11:09 NCR 585	*	Approve	11/21/96	*			
23 NCAC 02E .0203	10:24 NCR 3058		11:09 NCR 585	*						
23 NCAC 03A .0113	10:24 NCR 3058		11:09 NCR 585	*	Approve	11/21/96	*			

CULTURAL RESOURCES

USS North Carolina Battleship Commission

7 NCAC 05 .0202	10:18 NCR 2398		11:04 NCR 188	*						
7 NCAC 05 .0203	10:18 NCR 2398		11:04 NCR 188	*						
7 NCAC 05 .0204	10:18 NCR 2398		11:04 NCR 188	*						
7 NCAC 05 .0207	10:18 NCR 2398		11:04 NCR 188	*						

ENVIRONMENT, HEALTH, AND NATURAL RESOURCES

15A Public Notice										11:01 NCR 2
15A Public Notice										11:09 NCR 590

15A NCAC 01K	10:19 NCR 2506									
15A NCAC 01M .0101		11:06 NCR 368								
15A NCAC 01M .0102		11:06 NCR 368								
15A NCAC 01M .0201		11:06 NCR 368								

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15A NCAC 01M .0202		11:06 NCR 368								
15A NCAC 01M .0301		11:06 NCR 368								
15A NCAC 01M .0302		11:06 NCR 368								
15A NCAC 01M .0303		11:06 NCR 368								
15A NCAC 01M .0304		11:06 NCR 368								
15A NCAC 01M .0305		11:06 NCR 368								
15A NCAC 01M .0306		11:06 NCR 368								
Coastal Resources Commission										
15A NCAC 07	11:04 NCR 183									
15A NCAC 07H .0104	10:24 NCR 3045		11:07 NCR 409	*	Object	11/21/96				11:09 NCR 575
15A NCAC 07H .0106	10:16 NCR 1921		11:04 NCR 190	*	Approve	09/19/96	*			Notice Subject Matter
15A NCAC 07H .0208	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .0304	10:24 NCR 3045		11:07 NCR 409	*	Object	11/21/96				11:09 NCR 575
15A NCAC 07H .0304	11:15 NCR 1200	11:15 NCR 1226								
15A NCAC 07H .0305	11:15 NCR 1200	11:15 NCR 1226								
15A NCAC 07H .0306	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .0309	11:08 NCR 442		11:12 NCR 981	*						
15A NCAC 07H .1104	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1202	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1204	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1205	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1304	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1404	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1504	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1600	11:15 NCR 1200		11:11 NCR 907	*						
15A NCAC 07H .1704	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1804	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .1904	11:04 NCR 183		11:11 NCR 907	*						

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					Action	Date				
15A NCAC 07H .2004	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .2104	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07J .0102	10:24 NCR 3045		11:04 NCR 190	*	Approve	11/21/96				
15A NCAC 07K .0203	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07M .0301	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0302	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0303	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0304	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0305	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0306	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0307	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0308	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0309	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0401	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0402	10:16B NCR 1921		11:11 NCR 907	*						
15A NCAC 07M .0403	10:16B NCR 1921		11:11 NCR 907	*						
Environmental Management Commission										
15A NCAC 02	10:24 NCR 3045									
15A NCAC 02	11:04 NCR 183									
15A NCAC 02B .0223	11:02 NCR 75									
15A NCAC 02B .0223	11:03 NCR 109									
15A NCAC 02B .0224	10:18 NCR 2400		11:12 NCR 973	*						
15A NCAC 02B .0227	10:18 NCR 2400		11:12 NCR 973	*						
15A NCAC 02B .0229	11:03 NCR 109		11:09 NCR 572	*	Object	11/21/96				
15A NCAC 02B .0231	11:02 NCR 75		11:10 NCR 824	L/S/E						
			11:14 NCR 1136							
15A NCAC 02B .0232	11:02 NCR 75		11:10 NCR 824	L						
			11:14 NCR 1136							
15A NCAC 02B .0233	11:02 NCR 75		11:10 NCR 824	L						

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15A NCAC 02B .0234	11:02 NCR 75		11:14 NCR 1136	*						
			11:10 NCR 824							
			11:14 NCR 1136							
15A NCAC 02B .0235	11:02 NCR 75		11:10 NCR 824	*						
			11:14 NCR 1136							
15A NCAC 02B .0236	11:02 NCR 75		11:10 NCR 824	L						
			11:14 NCR 1136							
15A NCAC 02B .0303	10:18 NCR 2400		11:12 NCR 973	*						
15A NCAC 02B .0315	11:02 NCR 75		11:09 NCR 572	L	Approve	11/21/96	*			
15A NCAC 02D .0101	11:15 NCR 1200									
15A NCAC 02D .0104	11:15 NCR 1200									
15A NCAC 02D .0105	11:15 NCR 1200									
15A NCAC 02D .0108	11:15 NCR 1200									
15A NCAC 02D .0202	11:15 NCR 1200									
15A NCAC 02D .0302	11:15 NCR 1200									
15A NCAC 02D .0307	11:15 NCR 1200									
15A NCAC 02D .0501	11:15 NCR 1200									
15A NCAC 02D .0518	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .0521	11:15 NCR 1200									
15A NCAC 02D .0524	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96	*			
15A NCAC 02D .0524	11:15 NCR 1200									
15A NCAC 02D .0525	11:15 NCR 1200									
15A NCAC 02D .0530	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .0531	11:15 NCR 1200									
15A NCAC 02D .0535	10:18 NCR 2317		11:16 NCR 1271	*						
15A NCAC 02D .0610	11:15 NCR 1200									
15A NCAC 02D .0902	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .0907	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .0909	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				

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15A NCAC 02D .0910	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .0911	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .0912	11:15 NCR 1200									
15A NCAC 02D .0946	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .0953	11:15 NCR 1200									
15A NCAC 02D .0954	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96	*			
15A NCAC 02D .0954	11:15 NCR 1200									
15A NCAC 02D .1005	11:15 NCR 1200									
15A NCAC 02D .1100	11:08 NCR 442									
15A NCAC 02D .1107	11:15 NCR 1200									
15A NCAC 02D .1110	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96	*			
15A NCAC 02D .1111	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96	*			
15A NCAC 02D .1201	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1202	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1203	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1203	11:15 NCR 1200									
15A NCAC 02D .1204	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1205	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1206	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1207	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1208	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1209	10:24 NCR 3045		11:16 NCR 1271	L/SE						
15A NCAC 02D .1402	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .1403	10:24 NCR 3045		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02D .2200	11:15 NCR 1200									
15A NCAC 02H .0225	11:15 NCR 1200	11:15 NCR 1225								
15A NCAC 02H .0610	11:08 NCR 442									
15A NCAC 02H .1202	11:15 NCR 1200									

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15A NCAC 02H .1203	11:15 NCR 1200									
15A NCAC 02H .1204	11:15 NCR 1200									
15A NCAC 02H .1205	11:15 NCR 1200									
15A NCAC 02L	11:15 NCR 1200 11:15 NCR 1204									
15A NCAC 02L .0106		10:19 NCR 2508								
15A NCAC 02L .0115	11:15 NCR 1200 11:15 NCR 1204									
15A NCAC 02L .0202	10:20 NCR 2591									
15A NCAC 02N	11:15 NCR 1200 11:15 NCR 1204									
15A NCAC 02P	11:15 NCR 1200 11:15 NCR 1204									
15A NCAC 02P .0402		10:19 NCR 2512								
15A NCAC 02Q .0102			11:06 NCR 350	*						
15A NCAC 02Q .0102	10:24 NCR 2400		11:08 NCR 472	S/L	Approve	11/21/96	*			
15A NCAC 02Q .0104	10:24 NCR 2400		11:08 NCR 472	*	Approve	11/21/96	*			
15A NCAC 02Q .0107	10:18 NCR 2400		11:08 NCR 472	*	Approve	11/21/96				
15A NCAC 02Q .0312	10:24 NCR 3045		11:16 NCR 1271	*						
15A NCAC 02Q .0313	10:24 NCR 3045		11:16 NCR 1271	*						
15A NCAC 02Q .0507	10:24 NCR 2400		11:08 NCR 472	S/L	Approve	11/21/96				
15A NCAC 02Q .0512	10:24 NCR 2400		11:08 NCR 472	S/L	Approve	11/21/96				
15A NCAC 02Q .0514	10:24 NCR 2400		11:08 NCR 472	S/L	Approve	11/21/96				
15A NCAC 02Q .0515	10:24 NCR 2400		11:08 NCR 472	S/L	Approve	11/21/96				
15A NCAC 02Q .0517	10:24 NCR 2400		11:08 NCR 472	S/L	Approve	11/21/96				
15A NCAC 02Q .0525	10:24 NCR 3045		11:16 NCR 1271	*						
15A NCAC 02Q .0527	10:24 NCR 3045		11:16 NCR 1271	*						
15A NCAC 02Q .0607	10:24 NCR 3045		11:16 NCR 1271	*						
15A NCAC 02Q .0700	11:08 NCR 442									

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NPDES Permits										
NPDES Permits										
Health Services, Commission for										
15A NCAC 13A .0001	11:16 NCR 1269									11:06 NCR 317
15A NCAC 13A .0005	11:16 NCR 1269									11:07 NCR 406
15A NCAC 13A .0007	11:16 NCR 1269									
15A NCAC 13A .0011	11:16 NCR 1269									
15A NCAC 13A .0012	11:16 NCR 1269									
15A NCAC 13A .0019	11:16 NCR 1269									
15A NCAC 13B .1627	11:08 NCR 442		11:13 NCR 1055	*						
15A NCAC 13B .1800	11:08 NCR 442									
15A NCAC 13C .0301	10:18 NCR 2317		11:06 NCR 357	*	Approve	09/19/96	*		11:14 NCR 1156	
15A NCAC 13C .0302	10:18 NCR 2317		11:06 NCR 357	*	Object	09/19/96	*			
					Approve	11/21/96	*			
15A NCAC 13C .0303	10:18 NCR 2317		11:06 NCR 357	*	Approve	09/19/96	*		11:14 NCR 1156	
15A NCAC 13C .0304	10:18 NCR 2317		11:06 NCR 357	*	Approve	11/21/96	*			
15A NCAC 13C .0305	10:18 NCR 2317		11:06 NCR 357	*	Approve	09/19/96	*		11:14 NCR 1156	
15A NCAC 13C .0306	10:18 NCR 2317		11:06 NCR 357	*	Object	09/19/96	*			
					Approve	11/21/96	*			
15A NCAC 13C .0307	10:18 NCR 2317		11:06 NCR 357	*	Approve	09/19/96	*		11:14 NCR 1156	
15A NCAC 13C .0308	10:18 NCR 2317		11:06 NCR 357	*	Approve	09/19/96	*		11:14 NCR 1156	
15A NCAC 18A	11:04 NCR 183									
15A NCAC 18A .0134	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0136	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0137	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0159	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0168	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0169	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0173	11:08 NCR 442		11:12 NCR 987	*						

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15A NCAC 18A .0174	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0175	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0176	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0182	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0183	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0184	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0185	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0186	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0187	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0301	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0302	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0401	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0421	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0424	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0425	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0614	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0615	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0616	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0617	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0618	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0620	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0621	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .0901	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .1301	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .1302	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .1319	11:08 NCR 442		11:12 NCR 987	*						
15A NCAC 18A .1805	11:04 NCR 183		11:09 NCR 576	*						
15A NCAC 18A .1814					Approve	04/18/96			11:04 NCR 209	

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					Action	Date				
15A NCAC 18A .2601		11:01 NCR 24	11:05 NCR 273	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 18A .2701					Approve	06/20/96	*		11:08 NCR 536	
15A NCAC 20D .0243					Approve	04/18/96			11:04 NCR 209	
15A NCAC 21H .0111		11:06 NCR 371								
15A NCAC 21H .0113		11:06 NCR 371								
15A NCAC 21I .0101		11:07 NCR 422								
15A NCAC 21J .0101		11:07 NCR 422								
Marine Fisheries Commission										
15A NCAC 03	11:11 NCR 881									
15A NCAC 031 .0001	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 031 .0005	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 031 .0019			10:21 NCR 2737	*	Approve	05/16/96	*			
15A NCAC 031 .0202	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03J .0401			10:21 NCR 2688	*	Approve	05/16/96	*			
15A NCAC 03L .0102	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03L .0201	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03M .0202	11:03 NCR 110	11:11 NCR 938		*						
15A NCAC 03M .0204		11:14 NCR 1153								
15A NCAC 03M .0503	11:07 NCR 407		11:11 NCR 938	*						
15A NCAC 03M .0504	11:03 NCR 110	11:11 NCR 938		*						
15A NCAC 03M .0506	11:07 NCR 407	11:14 NCR 1153		*						
15A NCAC 03M .0507		11:11 NCR 938	11:11 NCR 888	*						
15A NCAC 03M .0511	11:03 NCR 110	11:11 NCR 938		*						
15A NCAC 03R .0006	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03R .0007	11:07 NCR 407		11:11 NCR 888	*						
Parks and Recreation										
15A NCAC 12B .1206	10:18 NCR 2317		11:12 NCR 985	*	Object	11/21/96				
Soil and Water Conservation										

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15A NCAC 06E .0002	11:08 NCR 442		11:12 NCR 979	*						
15A NCAC 06E .0002		11:12 NCR 1004								
15A NCAC 06E .0003	11:08 NCR 442		11:12 NCR 979	*						
15A NCAC 06E .0005		11:12 NCR 1004								
Wildlife Resources Commission										
15A NCAC 10B .0106	11:02 NCR 76		11:08 NCR 495	*	Approve	10/17/96	*		11:16 NCR 1291	
15A NCAC 10B .0113	11:07 NCR 408		11:12 NCR 983	*						
15A NCAC 10B .0115	11:07 NCR 408		11:12 NCR 984	*						
15A NCAC 10B .0115	11:11 NCR 882									
15A NCAC 10B .0116	11:12 NCR 959									
15A NCAC 10B .0123	11:02 NCR 76		11:08 NCR 495	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10B .0203	11:02 NCR 76		11:08 NCR 495	*	Approve	11/21/96	*			
15A NCAC 10B .0208	11:02 NCR 76		11:08 NCR 495	*						
15A NCAC 10B .0209	11:02 NCR 76		11:08 NCR 495	*	Approve	11/21/96				
15A NCAC 10C .0107	11:02 NCR 76									
15A NCAC 10C .0205	11:02 NCR 76		11:08 NCR 495	*	Approve	11/21/96	*			
15A NCAC 10C .0305	11:02 NCR 76		11:08 NCR 495	*	Approve	11/21/96	*			
15A NCAC 10C .0401	11:02 NCR 76									
15A NCAC 10C .0401	11:07 NCR 408									
15A NCAC 10D .0002	11:02 NCR 76		11:08 NCR 495	*	Approve	11/21/96	*			
15A NCAC 10D .0003	11:02 NCR 76		11:08 NCR 495	*	Approve	11/21/96	*			
15A NCAC 10F .0102	10:19 NCR 2506		11:01 NCR 14	*	Approve	07/18/96	*		11:10 NCR 843	
15A NCAC 10F .0103	10:19 NCR 2506		11:01 NCR 14	*	Approve	07/18/96	*		11:10 NCR 843	
15A NCAC 10F .0104	10:19 NCR 2506		11:01 NCR 14	*	Approve	08/15/96	*		11:12 NCR 1006	
15A NCAC 10F .0105	10:19 NCR 2506		11:01 NCR 14	*	Approve	08/15/96	*		11:12 NCR 1006	
15A NCAC 10F .0106	10:19 NCR 2506		11:01 NCR 14	*	Approve	07/18/96	*		11:10 NCR 843	
15A NCAC 10F .0107	10:19 NCR 2506		11:01 NCR 14	*	Approve	07/18/96	*		11:10 NCR 843	
15A NCAC 10F .0109	10:19 NCR 2506		11:01 NCR 14	*	Approve	07/18/96	*		11:10 NCR 843	

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15A NCAC 10F .0300	11:01 NCR 13									
15A NCAC 10F .0302	11:05 NCR 272		11:14 NCR 1150	*						
15A NCAC 10F .0303	10:24 NCR 3057		11:06 NCR 355	*	Approve	09/19/96			11:14 NCR 1156	
15A NCAC 10F .0305	10:19 NCR 2506		11:01 NCR 14	*	Approve	07/18/96			11:10 NCR 843	
15A NCAC 10F .0307	11:02 NCR 76		11:07 NCR 412	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10F .0307	11:08 NCR 451		11:14 NCR 1150	*						
15A NCAC 10F .0310	10:19 NCR 2506		11:01 NCR 14	*	Approve	07/18/96			11:10 NCR 843	
15A NCAC 10F .0310	10:24 NCR 3057		11:06 NCR 355	*	Approve	09/19/96			11:14 NCR 1156	
15A NCAC 10F .0317	11:13 NCR 1039									
15A NCAC 10F .0327	11:14 NCR 1109									
15A NCAC 10F .0339	11:13 NCR 1039									
15A NCAC 10F .0342	10:19 NCR 2506		11:01 NCR 14	*	Withdrawn/Agcy	07/18/96				
15A NCAC 10F .0348	10:19 NCR 2506		11:01 NCR 14	*	Approve	07/18/96	*		11:10 NCR 843	
15A NCAC 10F .0367	11:16 NCR 1269									
15A NCAC 10G	11:01 NCR 13									
15A NCAC 10G .0100	11:02 NCR 76									
15A NCAC 10G .0102	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10G .0103	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10G .0202	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10G .0203	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10G .0206	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10G .0302	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10G .0303	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10G .0401	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96			11:16 NCR 1291	
15A NCAC 10G .0402	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96	*		11:16 NCR 1291	
15A NCAC 10G .0403	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96	*		11:16 NCR 1291	
15A NCAC 10G .0404	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96	*		11:16 NCR 1291	
15A NCAC 10G .0501	11:01 NCR 13		11:07 NCR 412	*	Approve	10/17/96	*		11:16 NCR 1291	

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					Action	Date				
15A NCAC 101 .0001	10:22 NCR 2829		11:04 NCR 191	*	Approve	09/19/96			11:14 NCR 1156	
15A NCAC 101 .0002	11:02 NCR 76		11:08 NCR 495	*	Approve	10/17/96	*		11:16 NCR 1291	
Wildlife Proclamation										11:03 NCR 104
Wildlife Proclamation										11:04 NCR 182
FINAL DECISION LETTERS										
Voting Rights Act										11:01 NCR 1
Voting Rights Act										11:04 NCR 181
Voting Rights Act										11:06 NCR 315
Voting Rights Act										11:07 NCR 405
Voting Rights Act										11:13 NCR 1038
Voting Rights Act										11:16 NCR 1263
GENERAL CONTRACTORS LICENSING BOARD										
21 NCAC 12 .0204	10:22 NCR 2829	11:06 NCR 372	11:09 NCR 583	*	Approve	10/17/96			11:16 NCR 1291	
21 NCAC 12 .0503	10:22 NCR 2829	11:06 NCR 372	11:09 NCR 584	*	Approve	10/17/96	*		11:16 NCR 1291	
GOVERNOR'S EXECUTIVE ORDERS										
Number 95 - Eff. 04/24/96										11:05 NCR 270
Number 96 - Eff. 06/14/96										11:08 NCR 441
Number 97 - Eff. 07/12/96										11:10 NCR 817
Number 98 - Eff. 08/09/96										11:11 NCR 880
Number 99 - Eff. 09/05/96										11:14 NCR 1101
Number 100 - Eff. 09/12/96										11:14 NCR 1101
Number 101 - Eff. 09/12/96										11:14 NCR 1101
Number 102 - Eff. 10/02/96										11:15 NCR 1197
Number 103 - Eff. 10/10/96										11:15 NCR 1197
Number 104 - Eff. 10/10/96										11:15 NCR 1197
HOUSING FINANCE AGENCY										
24 NCAC 01P .0101										
										11:14 NCR 1154

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24 NCAC 01P .0102		11:14 NCR 1154								
24 NCAC 01P .0103		11:14 NCR 1154								
24 NCAC 01P .0201		11:14 NCR 1154								
24 NCAC 01P .0202		11:14 NCR 1154								
24 NCAC 01P .0203		11:14 NCR 1154								
HUMAN RESOURCES										
10 NCAC 41P .0013	11:06 NCR 323	11:08 NCR 528	11:12 NCR 966	L						
Aging										
10 NCAC 22	10:23 NCR 2956									
Child Day Care Commission										
10 NCAC 03U .0102		10:20 NCR 2593	11:10 NCR 819	S	Object Approve	10/17/96 11/21/96	*			
10 NCAC 03U .0604	11:03 NCR 109		11:09 NCR 571	*						
10 NCAC 03U .0700	11:08 NCR 449									
10 NCAC 03U .0704	10:19 NCR 2506		11:04 NCR 188	*	Object Approve	10/17/96 11/21/96	*			
10 NCAC 03U .0705	11:14 NCR 1108									
10 NCAC 03U .0707	11:08 NCR 449		11:17 NCR 1338	*						
10 NCAC 03U .0710	10:22 NCR 2829		11:04 NCR 188	*	Object Approve	10/17/96 11/21/96	*			
10 NCAC 03U .0901	11:08 NCR 449		11:17 NCR 1338	*						
10 NCAC 03U .1717	11:14 NCR 1108									
10 NCAC 03U .2510	11:08 NCR 449									
10 NCAC 03U .2606	11:08 NCR 449									
10 NCAC 03U .2701		10:20 NCR 2593	11:10 NCR 819	S	Object Approve	10/17/96 11/21/96	*			
10 NCAC 03U .2702		10:20 NCR 2593	11:10 NCR 819	S	Object Approve	10/17/96 11/21/96	*			
10 NCAC 03U .2703		10:20 NCR 2593	11:10 NCR 819	S	Object	10/17/96				

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10 NCAC 03U .2704		10:20 NCR 2593	11:10 NCR 819	S	Approve	11/21/96	*			
Facility Services										
10 NCAC 03	10:18 NCR 2399				Object	10/17/96				
10 NCAC 03R .3001		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Approve	10/17/96	*		11:16 NCR 1291	11:11 NCR 888
10 NCAC 03R .3001	10:23 NCR 2956		11:06 NCR 328	S/L/SE						
10 NCAC 03R .3010		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Approve	10/17/96			11:16 NCR 1291	11:11 NCR 888
10 NCAC 03R .3020		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Approve	10/17/96	*		11:16 NCR 1291	11:11 NCR 888
10 NCAC 03R .3020	10:23 NCR 2956		11:06 NCR 328	S/L/SE						
10 NCAC 03R .3030		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	10/17/96				11:11 NCR 888
10 NCAC 03R .3030	10:23 NCR 2956		11:06 NCR 328	S/L/SE	Object	11/21/96	*			
10 NCAC 03R .3032		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Approve	10/17/96	*		11:16 NCR 1291	11:11 NCR 888
10 NCAC 03R .3032	10:23 NCR 2956		11:06 NCR 328	S/L/SE						
10 NCAC 03R .3040		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	10/17/96				11:11 NCR 888
10 NCAC 03R .3040	10:23 NCR 2956		11:06 NCR 328	S/L/SE	Approve	11/21/96	*			
10 NCAC 03R .3050		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	10/17/96				11:11 NCR 888
10 NCAC 03R .3050	10:23 NCR 2956		11:06 NCR 328	S/L/SE	Approve	11/21/96	*			
Medical Assistance										
Disproportionate Share List										
10 NCAC 26B .0105	10:18 NCR 2398		10:22 NCR 2831	*	Approve	04/18/96	*		11:04 NCR 207	11:03 NCR 101
10 NCAC 26G .0707	11:08 NCR 450	11:15 NCR 1205								
10 NCAC 26H .0101	11:14 NCR 1108									
10 NCAC 26H .0102	11:14 NCR 1108									
10 NCAC 26H .0104	11:16 NCR 1268									
10 NCAC 26H .0212		11:15 NCR 1205								
10 NCAC 26H .0213		11:15 NCR 1205								
10 NCAC 26H .0506		11:02 NCR 77								

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10 NCAC 2611 .0506	10:21 NCR 2686									
10 NCAC 2611 .0602	11:09 NCR 569	11:13 NCR 1062		S/L						
10 NCAC 50B .0202		11:10 NCR 841								
10 NCAC 50B .0404		11:10 NCR 841								
10 NCAC 50B .0409		11:10 NCR 841								
10 NCAC 50D										11:06 NCR 316
10 NCAC 50D .0101	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0102	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0103	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0201	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0301	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0302	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0401	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0402	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0501	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0502	10:24 NCR 3057	11:04 NCR 196								
10 NCAC 50D .0503	10:24 NCR 3057	11:04 NCR 196								
Medical Care Commission										
10 NCAC 03B	11:16 NCR 1268									
10 NCAC 03C .6208					Approve	04/18/96			11:04 NCR 206	
Mental Health, Developmental Disabilities and Substance Abuse Services										
10 NCAC 14V .3402	11:08 NCR 449		11:14 NCR 1124	*						
10 NCAC 14V .3803	11:08 NCR 449		11:14 NCR 1124	*						
10 NCAC 14V .5602	11:08 NCR 449		11:14 NCR 1124	*						
10 NCAC 15A .0128	11:08 NCR 449		11:14 NCR 1124	*						
10 NCAC 15A .0129	11:08 NCR 449		11:14 NCR 1124	*						
10 NCAC 18W .0201	10:15 NCR 1478		11:14 NCR 1124	S						
10 NCAC 18W .0202	10:15 NCR 1478		11:14 NCR 1124	S						

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10 NCAC 18W .0203	10:15 NCR 1478		11:14 NCR 1124	S						
10 NCAC 18W .0204	10:15 NCR 1478		11:14 NCR 1124	S						
10 NCAC 18W .0205	10:15 NCR 1478		11:14 NCR 1124	S						
10 NCAC 18W .0206	10:15 NCR 1478		11:14 NCR 1124	S						
10 NCAC 18W .0207	10:15 NCR 1478		11:14 NCR 1124	S						
10 NCAC 18W .0208	10:15 NCR 1478		11:14 NCR 1124	S						
10 NCAC 18W .0209	10:15 NCR 1478		11:14 NCR 1124	S						
10 NCAC 18W .0210	10:15 NCR 1478		11:14 NCR 1124	S						
10 NCAC 18W .0211	10:15 NCR 1478		11:14 NCR 1124	S						
10 NCAC 18W .0212	10:15 NCR 1478		11:14 NCR 1124	S						
10 NCAC 18W .0213	10:15 NCR 1478		11:14 NCR 1124	S						
10 NCAC 18W .0214	10:15 NCR 1478		11:14 NCR 1124	S						
10 NCAC 18W .0215	10:15 NCR 1478		11:14 NCR 1124	S						
10 NCAC 18W .0216	10:15 NCR 1478		11:14 NCR 1124	S						
10 NCAC 18W .0217	10:15 NCR 1478		11:14 NCR 1124	S						
10 NCAC 18W .0218	10:15 NCR 1478		11:14 NCR 1124	S						
10 NCAC 18W .0219	10:15 NCR 1478		11:14 NCR 1124	S						
10 NCAC 45H .0200	11:08 NCR 449									
Social Services Commission										
10 NCAC 35E .0101		11:16 NCR 1288								
10 NCAC 35E .0105		11:16 NCR 1288								
10 NCAC 35E .0106		11:16 NCR 1288								
10 NCAC 35E .0308		11:16 NCR 1288								
10 NCAC 41F	10:23 NCR 2956									
10 NCAC 41F .0705	10:23 NCR 2956		11:03 NCR 111	L	Approve	07/18/96	*		11:15 NCR 1229	
10 NCAC 41F .0706		10:21 NCR 2726	11:03 NCR 111	*	Approve	07/18/96				
10 NCAC 41F .0707		10:21 NCR 2726	11:03 NCR 111	S	Object	07/18/96	*		11:15 NCR 1229	
					Approve	09/19/96				

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10 NCAC 41F .0812		10:21 NCR 2726	11:03 NCR 111	*	Approve	07/18/96			11:15 NCR 1229	
10 NCAC 41F .0813		10:21 NCR 2726	11:03 NCR 111	S	Object Approve	07/18/96 09/19/96	*		11:15 NCR 1229	
10 NCAC 41F .0814	10:23 NCR 2956		11:03 NCR 111	L	Object Approve	07/18/96 09/19/96	*		11:15 NCR 1229	
10 NCAC 411 .0100	10:17 NCR 2228									
10 NCAC 411 .0102	10:17 NCR 2228		10:21 NCR 2687	*						
10 NCAC 41P .0102	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Object	11/21/96				
10 NCAC 41P .0105	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Object	11/21/96				
10 NCAC 41P .0106	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*			
10 NCAC 41P .0108	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve Approve	11/21/96 10/17/96	*			
10 NCAC 41P .0108										
10 NCAC 41P .0109	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*		11:16 NCR 1291	Notice Not Required
10 NCAC 41P .0110	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*			
10 NCAC 41P .0111	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*			
10 NCAC 41P .0112	11:06 NCR 323	11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*			
10 NCAC 42A .0701		10:21 NCR 2728	11:10 NCR 823	S/L/S/L	Approve	11/21/96				
10 NCAC 42A .0702		10:21 NCR 2728	11:10 NCR 823	*	Approve	11/21/96	*			
10 NCAC 42A .0703		10:21 NCR 2728	11:10 NCR 823	*	Object	11/21/96				
10 NCAC 42B .1209		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42B .1210		10:21 NCR 2729	11:12 NCR 967	S/L	Approve	11/21/96	*			
10 NCAC 42B .1211		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96	*			
10 NCAC 42B .2402		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42B .2403		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42B .2404		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42B .2405		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42C .2010		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42C .2011		10:21 NCR 2729	11:12 NCR 967	S/L	Object	11/21/96				
10 NCAC 42C .2012		10:21 NCR 2729	11:12 NCR 967	*	Object	11/21/96				

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					Action	Date				
10 NCAC 42C .3701		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42C .3702		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96	*			
10 NCAC 42C .3703		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96	*			
10 NCAC 42C .3704		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42D .1409		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42D .1410		10:21 NCR 2729	11:12 NCR 967	S/L	Object	11/21/96				
10 NCAC 42D .1411		10:21 NCR 2729	11:12 NCR 967	*	Object	11/21/96				
10 NCAC 42D .1827		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42D .1828		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42D .1829		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42D .1830		10:21 NCR 2729	11:12 NCR 967	*	Approve	11/21/96				
10 NCAC 42J .0001		11:16 NCR 1288								
10 NCAC 42J .0004		11:16 NCR 1288								
10 NCAC 42J .0005		11:16 NCR 1288								
10 NCAC 42V .0201		10:20 NCR 2597	11:03 NCR 111	*	Approve	07/18/96	*		11:10 NCR 843	
10 NCAC 42V .0802		10:20 NCR 2597	11:03 NCR 111	*	Approve	07/18/96	*		11:10 NCR 843	
10 NCAC 42V .0803		10:20 NCR 2597	11:03 NCR 111	*	Approve	07/18/96	*		11:10 NCR 843	
10 NCAC 49A .0002		11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96				
10 NCAC 49B .0202		11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*			
10 NCAC 49B .0310		11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96	*			
10 NCAC 49B .0502		11:08 NCR 528	11:12 NCR 960	*	Approve	11/21/96				
10 NCAC 49C .0107		10:18 NCR 2402								
Vocational Rehabilitation Services										
10 NCAC 20B .0204	11:08 NCR 450		11:13 NCR 1051	*						
10 NCAC 20B .0205	11:08 NCR 450		11:13 NCR 1051	*						
10 NCAC 20B .0206	11:08 NCR 450		11:13 NCR 1051	*						
10 NCAC 20B .0208	11:08 NCR 450		11:13 NCR 1051	*						
10 NCAC 20B .0209	11:08 NCR 450		11:13 NCR 1051	*						

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					Action	Date				
10 NCAC 20B .0210	11-08 NCR 450		11:13 NCR 1051	*						
10 NCAC 20B .0214	11-08 NCR 450		11:13 NCR 1051	*						
10 NCAC 20B .0218	11-08 NCR 450		11:13 NCR 1051	*						
10 NCAC 20B .0222	11-08 NCR 450		11:13 NCR 1051	*						
10 NCAC 20B .0224	11-08 NCR 450		11:13 NCR 1051	*						
10 NCAC 20B .0226	11-08 NCR 450		11:13 NCR 1051	*						
10 NCAC 20B .0227	11-08 NCR 450		11:13 NCR 1051	*						
10 NCAC 20C .0603	11-08 NCR 450		11:13 NCR 1051	*						
10 NCAC 20D .0204	11-08 NCR 450		11:13 NCR 1051	*						
INSURANCE										
11 NCAC 08 .1001		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1002		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1003		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1004		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1005		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1006		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1007		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1008		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1009		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1010		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1011		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1101		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1102		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1103		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1104		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1105		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1106		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1107		11:15 NCR 1212								Filed over objection

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11 NCAC 08 .1108		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1109		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1110		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1111		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1112		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1113		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1114		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1115		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1116		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1201		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1202		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1203		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1204		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1205		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1206		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1207		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1208		11:15 NCR 1212								Filed over objection
11 NCAC 08 .1209		11:15 NCR 1212								Filed over objection
11 NCAC 10 .0602		11:15 NCR 1223								Filed over objection
11 NCAC 10 .0603		11:15 NCR 1223								Filed over objection
11 NCAC 10 .0606		11:15 NCR 1223								Filed over objection
11 NCAC 12 .0551	10:18 NCR 2399		10:22 NCR 2831	*	Approve	05/16/96	*		11:05 NCR 283	
11 NCAC 16 .0703	10:18 NCR 2399		10:22 NCR 2832	*	Approve	05/16/96			11:05 NCR 284	
JUSTICE										
Attorney General/Company Police										
12 NCAC 021 .0101					Approve	04/18/96				11:04 NCR 208
12 NCAC 021 .0206					Approve	04/18/96				11:04 NCR 208
12 NCAC 021 .0210					Approve	04/18/96				11:04 NCR 208

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Alarm Systems Licensing Board

12 NCAC 11 .0202 10:24 NCR 3057

11:14 NCR 1136

*

Criminal Justice Education and Training Standards Commission

12 NCAC 09A .0103 11:14 NCR 1109

12 NCAC 09B .0102 11:14 NCR 1109

12 NCAC 09B .0111 11:14 NCR 1109

12 NCAC 09B .0206 11:14 NCR 1109

12 NCAC 09B .0224 11:14 NCR 1109

12 NCAC 09B .0225 11:14 NCR 1109

12 NCAC 09B .0409 11:14 NCR 1109

12 NCAC 09C .0304 11:14 NCR 1109

12 NCAC 09C .0307 11:14 NCR 1109

12 NCAC 09C .0309 11:14 NCR 1109

12 NCAC 09C .0601 11:14 NCR 1109

12 NCAC 09C .0602 11:14 NCR 1109

12 NCAC 09C .0603 11:14 NCR 1109

12 NCAC 09C .0604 11:14 NCR 1109

12 NCAC 09C .0605 11:14 NCR 1109

12 NCAC 09C .0606 11:14 NCR 1109

Private Protective Services Board

12 NCAC 07D 11:10 NCR 818

12 NCAC 07D 11:16 NCR 1268

12 NCAC 07D .0100 11:16 NCR 1268

12 NCAC 07D .0104 11:16 NCR 1268

12 NCAC 07D .0201 11:10 NCR 818

12 NCAC 07D .0204 11:14 NCR 1108

12 NCAC 07D .0504 11:10 NCR 818

12 NCAC 07D .0701 11:10 NCR 818

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12 NCAC 07D .0801	11:10 NCR 818									
12 NCAC 07D .0902	11:10 NCR 818									
12 NCAC 07D .1106	11:14 NCR 1108									
State Bureau of Investigation/Division of Criminal Information										
12 NCAC 04E .0103	11:11 NCR 881		11:17 NCR 1339	*						
12 NCAC 04E .0104	11:17 NCR 1336									
12 NCAC 04E .0401	11:17 NCR 1336									
12 NCAC 04E .0404	11:17 NCR 1336									
12 NCAC 04E .0405	11:17 NCR 1336									
LABOR										
Occupational Safety and Health										
13 NCAC 07A .0900	11:11 NCR 881									
13 NCAC 07F	11:03 NCR 106									
13 NCAC 07F .0101		11:03 NCR 119								
13 NCAC 07F .0201	11:03 NCR 106									
13 NCAC 07F .0201	11:09 NCR 568									
13 NCAC 07F .0301	11:03 NCR 106									
MEDICAL BOARD										
21 NCAC 32H	10:18 NCR 2400									
21 NCAC 32H .0101	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0102	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0201	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0203	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*			
21 NCAC 32H .0301	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0302	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0303	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0401	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0402	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	

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21 NCAC 32H .0403	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0404	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0406	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0407	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96			11:04 NCR 221	
21 NCAC 32H .0408	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96			11:04 NCR 221	
21 NCAC 32H .0409	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0501	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0502	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0504	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0505	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0506	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0507	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0601	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0602	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96			11:04 NCR 221	
21 NCAC 32H .0701	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0702	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0801	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0901	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 32H .0902	10:18 NCR 2400		10:22 NCR 2835	*	Approve	04/18/96			11:04 NCR 221	
NURSING, BOARD OF										
21 NCAC 36 .0320	11:14 NCR 1109				Approve	04/18/96	*		11:04 NCR 221	
NURSING HOME ADMINISTRATORS										
21 NCAC 37D .0202		11:11 NCR 940			Approve	04/18/96	*		11:04 NCR 221	
21 NCAC 37G .0102		11:11 NCR 940			Approve	04/18/96	*		11:04 NCR 221	
PSYCHOLOGY BOARD										
21 NCAC 54 .2704					Approve	04/18/96			11:04 NCR 236	
21 NCAC 54 .2706					Approve	04/18/96			11:04 NCR 236	

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PUBLIC EDUCATION

16 NCAC 01A .0001					Approve	05/16/96			11:05 NCR 286	
16 NCAC 01A .0003					Approve	05/16/96			11:05 NCR 283	

Standards Board for Public School Administration

16 NCAC 07 .0101	10:23 NCR 2957		11:09 NCR 576	*	Object	11/21/96				
16 NCAC 07 .0102	10:23 NCR 2957		11:09 NCR 576	*	Object	11/21/96				
16 NCAC 07 .0103	10:23 NCR 2957		11:09 NCR 576	*	Object	11/21/96				
16 NCAC 07 .0104	10:23 NCR 2957		11:09 NCR 576	*	Returned	11/21/96				
16 NCAC 07 .0105	10:23 NCR 2957		11:09 NCR 576	*	Returned	11/21/96				
16 NCAC 07 .0106	10:23 NCR 2957		11:09 NCR 576	*	Returned	11/21/96				
16 NCAC 07 .0107	10:23 NCR 2957		11:09 NCR 576	*	Returned	11/21/96				
16 NCAC 07 .0108	10:23 NCR 2957		11:09 NCR 576	*	Returned	11/21/96				
16 NCAC 07 .0109	10:23 NCR 2957		11:09 NCR 576	*	Returned	11/21/96				
16 NCAC 07 .0110	10:23 NCR 2957		11:09 NCR 576	*	Returned	11/21/96				
16 NCAC 07 .0111	10:23 NCR 2957		11:09 NCR 576	*	Returned	11/21/96				
16 NCAC 07 .0112	10:23 NCR 2957		11:09 NCR 576	*	Returned	11/21/96				

REAL ESTATE COMMISSION

21 NCAC 58A .0101	10:22 NCR 2829		11:03 NCR 114	*						
21 NCAC 58A .0104	11:07 NCR 408		11:11 NCR 935	*						
21 NCAC 58A .0105	10:22 NCR 2829		11:03 NCR 114	*						
21 NCAC 58A .0109	10:22 NCR 2829		11:03 NCR 114	*						
21 NCAC 58A .0110	10:22 NCR 2829		11:03 NCR 114	*						
21 NCAC 58A .0302	10:22 NCR 2829		11:03 NCR 114	*						
21 NCAC 58A .0503	10:22 NCR 2829		11:03 NCR 114	*						
21 NCAC 58A .0504	10:22 NCR 2829		11:03 NCR 114	*						
21 NCAC 58A .1501	10:22 NCR 2829		11:03 NCR 114	*						
21 NCAC 58A .1502	10:22 NCR 2829		11:03 NCR 114	*						

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21 NCAC 58A .1601	10:22 NCR 2835		11:03 NCR 114	*						
REFRIGERATION EXAMINERS										
21 NCAC 60 .0204	11:05 NCR 272		11:10 NCR 839	*	Approve	11/21/96				
21 NCAC 60 .0207	11:05 NCR 272		11:10 NCR 839	*	Approve	11/21/96				
21 NCAC 60 .0314	11:05 NCR 272		11:10 NCR 839	*	Object	11/21/96				
REVENUE										
17 NCAC 01C .0504		10:20 NCR 2599		*	Object	08/15/96			11:14 NCR 1156	
17 NCAC 01C .0506				*	Approve	09/19/96				
17 NCAC 01C .0506		10:20 NCR 2599		*	Approve	08/15/96				
17 NCAC 05C .0102			11:10 NCR 838	*						
			11:03 NCR 113	*	Object	11/21/96				
			11:09 NCR 582	*						
17 NCAC 05C .2101			10:24 NCR 3059	*	Approve	05/16/96	*		11:05 NCR 284	
17 NCAC 06B .0612			10:22 NCR 2833	*	Approve	04/18/96	*		11:04 NCR 211	
17 NCAC 06B .3716			10:22 NCR 2833	*	Approve	04/18/96	*		11:04 NCR 211	
17 NCAC 07B .0118			11:12 NCR 998	*	Approve	11/21/96				
17 NCAC 07B .1101			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
17 NCAC 07B .1105			10:21 NCR 2688	*	Approve	04/18/96			11:04 NCR 212	
17 NCAC 07B .1108			10:21 NCR 2688	*	Approve	04/18/96			11:04 NCR 212	
17 NCAC 07B .1109			10:21 NCR 2688	*	Approve	04/18/96			11:04 NCR 212	
17 NCAC 07B .1110			10:21 NCR 2688	*	Approve	04/18/96			11:04 NCR 212	
17 NCAC 07B .1112			10:21 NCR 2688	*	Approve	04/18/96			11:04 NCR 212	
17 NCAC 07B .1114			10:21 NCR 2688	*	Approve	04/18/96			11:04 NCR 212	
17 NCAC 07B .1123			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
17 NCAC 07B .1602			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
17 NCAC 07B .1602			11:12 NCR 998	*	Approve	11/21/96	*			
17 NCAC 07B .1701			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
17 NCAC 07B .1702			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	

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17 NCAC 07B .1702			11:12 NCR 998	*	Approve	11/21/96	*			
17 NCAC 07B .1802			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
17 NCAC 07B .1802			11:12 NCR 998	*	Approve	11/21/96	*			
17 NCAC 07B .2401			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
17 NCAC 07B .2601			10:21 NCR 2688	*	Approve	04/18/96			11:04 NCR 212	
17 NCAC 07B .3103			11:12 NCR 998	*	Approve	11/21/96				
17 NCAC 07B .3106			11:12 NCR 998	*	Approve	11/21/96	*			
17 NCAC 07B .4002			10:21 NCR 2688	*	Approve	04/18/96			11:04 NCR 212	
17 NCAC 07B .4004			10:21 NCR 2688	*	Approve	04/18/96			11:04 NCR 212	
17 NCAC 07B .4008			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
17 NCAC 07B .4202			11:12 NCR 998	*	Approve	11/21/96	*			
17 NCAC 07B .4301			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
17 NCAC 07B .4408			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	
17 NCAC 07B .4501			11:12 NCR 998	*	Approve	11/21/96	*			
17 NCAC 07B .4902			10:21 NCR 2688	*	Approve	04/18/96	*		11:04 NCR 212	11:02 NCR 72 11:06 NCR 318 11:14 NCR 1104 11:16 NCR 1266 11:17 NCR 1332
Tax Review Board										
Tax Review Board										
Tax Review Board										
Tax Review Board										
Tax Review Board										
SOCIAL WORK, BOARD OF										
21 NCAC 63 .0306		10:21 NCR 2739	11:03 NCR 118	*	Approve	11/21/96				
SOIL SCIENTISTS, BOARD FOR LICENSING										
21 NCAC 69 .0101	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200 11:08 NCR 523	*	Approve	09/19/96			11:14 NCR 1156	
21 NCAC 69 .0102	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200 11:08 NCR 523	*	Object Approve	09/19/96 10/17/96	*		11:16 NCR 1291	
21 NCAC 69 .0103	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200 11:08 NCR 523	*	Approve	09/19/96			11:14 NCR 1156	

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21 NCAC 69 .0104	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200 11:08 NCR 523	*	Approve	09/19/96			11:14 NCR 1156	
21 NCAC 69 .0201	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200 11:08 NCR 523	*	Approve	09/19/96	*		11:14 NCR 1156	
21 NCAC 69 .0202	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200 11:08 NCR 523	*	Approve	09/19/96			11:14 NCR 1156	
21 NCAC 69 .0301	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200 11:08 NCR 523	*	Approve	09/19/96			11:14 NCR 1156	
21 NCAC 69 .0302	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200 11:08 NCR 523	*	Object	09/19/96			11:16 NCR 1291	
21 NCAC 69 .0303	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200 11:08 NCR 523	*	Approve	10/17/96	*		11:16 NCR 1291	
21 NCAC 69 .0304	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200 11:08 NCR 523	*	Object	09/19/96	*		11:16 NCR 1291	
21 NCAC 69 .0305	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200 11:08 NCR 523	*	Approve	10/17/96	*		11:16 NCR 1291	
21 NCAC 69 .0306	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200 11:08 NCR 523	*	Approve	09/19/96	*		11:14 NCR 1156	
21 NCAC 69 .0307	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200 11:08 NCR 523	*	Object	09/19/96	*		11:16 NCR 1291	
21 NCAC 69 .0308	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200 11:08 NCR 523	*	Approve	10/17/96	*		11:14 NCR 1156	
21 NCAC 69 .0401	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200 11:08 NCR 523	*	Object	09/19/96	*		11:16 NCR 1291	
21 NCAC 69 .0402	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200 11:08 NCR 523	*	Approve	10/17/96	*		11:16 NCR 1291	
21 NCAC 69 .0501	10:19 NCR 2507	11:04 NCR 200	11:04 NCR 200 11:08 NCR 523	*	Approve	09/19/96	*		11:14 NCR 1156	

STATE PERSONNEL COMMISSION

25 NCAC 01D .2501	11:13 NCR 1062
25 NCAC 01D .2503	11:13 NCR 1062
25 NCAC 01D .2504	11:13 NCR 1062

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25 NCAC 01D .2505		11:13 NCR 1062								
25 NCAC 01D .2507		11:13 NCR 1062								
25 NCAC 01D .2508		11:13 NCR 1062								
25 NCAC 01D .2509		11:13 NCR 1062								
25 NCAC 01D .2511		11:13 NCR 1062								
25 NCAC 01D .2513		11:13 NCR 1062								
25 NCAC 01D .2514		11:13 NCR 1062								
25 NCAC 01D .2516		11:13 NCR 1062								
25 NCAC 01E .0705	11:14 NCR 1110									
25 NCAC 01E .0707	11:14 NCR 1110									
25 NCAC 01E .0709	11:14 NCR 1110									
25 NCAC 01J .0613		10:23 NCR 2960			Approve	03/21/96			11:01 NCR 26	
25 NCAC 01J .0613										
SUBSTANCE ABUSE PROFESSIONALS CERTIFICATION BOARD										
21 NCAC 68	10:18 NCR 2401									
21 NCAC 68 .0101	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0102	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96			11:04 NCR 238	
21 NCAC 68 .0201	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96			11:04 NCR 238	
21 NCAC 68 .0202	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0203	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0204	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0205	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0206	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0207	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96			11:04 NCR 238	
21 NCAC 68 .0208	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0209	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0210	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0211	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	

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21 NCAC 68 .0212	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0213	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0401	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0402	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0403	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0404	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0405	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0406	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0407	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0701	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0702	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0703	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0704	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0705	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0706	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0707	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0708	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
21 NCAC 68 .0709	10:18 NCR 2401		10:22 NCR 2850	*	Approve	04/18/96	*		11:04 NCR 238	
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19A NCAC 06B .0401	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0402	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0403	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0404	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0405	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0406	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0407	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0408	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0409	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				

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19A NCAC 06B .0410	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0411	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0412	10:23 NCR 2957		11:05 NCR 279	S	Object	08/15/96	*		11:14 NCR 1156	
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19A NCAC 06B .0413	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0414	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0415	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0416	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
19A NCAC 06B .0417	10:23 NCR 2957		11:05 NCR 279	S	Approve	08/15/96				
Highways, Division of										
19A NCAC 02D .0425					Approve	08/15/96			11:12 NCR 1006	
19A NCAC 02D .1101	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96				
19A NCAC 02D .1102	10:23 NCR 2957		11:05 NCR 274	*	Object	08/15/96	*		11:14 NCR 1156	
					Approve	09/19/96				
19A NCAC 02D .1103	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96	*		11:12 NCR 1006	
19A NCAC 02D .1104	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96	*		11:12 NCR 1006	
19A NCAC 02D .1105	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96	*		11:12 NCR 1006	
19A NCAC 02D .1106	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96				
19A NCAC 02D .1107	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96				
19A NCAC 02D .1108	10:23 NCR 2957		11:05 NCR 274	*	Object	08/15/96	*		11:14 NCR 1156	
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19A NCAC 02D .1109	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96	*		11:12 NCR 1006	
19A NCAC 02D .1110	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96	*		11:12 NCR 1006	
19A NCAC 02D .1111	10:23 NCR 2957		11:05 NCR 274	*	Object	08/15/96	*		11:14 NCR 1156	
					Approve	09/19/96				
19A NCAC 02D .1112	10:23 NCR 2957		11:05 NCR 274	*	Approve	08/15/96				
Motor Vehicles, Division of										
19A NCAC 03E .0501	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 03E .0502	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	

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19A NCAC 03E .0511	11:01 NCR 13		11:07 NCR 416	*	Approve	10/17/96	*		11:16 NCR 1291	
19A NCAC 03E .0512	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 03E .0513	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 03E .0514	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 03E .0515	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 03E .0518	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 03E .0519	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 03E .0522	11:01 NCR 13		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 03J .0101	11:11 NCR 882		11:07 NCR 416	*	Approve	09/19/96	*		11:14 NCR 1156	
19A NCAC 03J .0102	11:11 NCR 882		11:17 NCR 1340	*						
19A NCAC 03J .0201	11:11 NCR 882									
19A NCAC 03J .0306	11:11 NCR 882		11:17 NCR 1340	*						
19A NCAC 03J .0307	11:11 NCR 882		11:17 NCR 1340	*						
19A NCAC 03J .0308	11:11 NCR 882		11:17 NCR 1340	*						
19A NCAC 03J .0601	11:11 NCR 882		11:17 NCR 1340	*						

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